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MATT BLUNT

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 32—Telecommunications Service

EMERGENCY RULE

4 CSR 240-32.200 General Provisions for the Assignment, Provision and Termination of 211 Service

PURPOSE: This rule applies to the assignment, provision and termination of 211 service and the commission's application requirements for Information and Referral Services Providers. This rule is intended to enhance the ability of the public to access services that provide free information and referral to community resources in situations that are not immediately life-endangering, but still represent a serious but less urgent threat to basic human needs and individuals' health or welfare.

EMERGENCY STATEMENT: This emergency rule is necessary to preserve a compelling governmental interest in promoting the availability of 211 service. The Federal Communications Commission assigned 211 as a national abbreviated dialing code to be used for calls to community information and referral services. These calls involve needs vital to the welfare of individuals, families and communities, such as shelter needs, utility issues critical in inclement weather, medical aid, child and spousal abuse counseling, etc.

*Currently, Missouri does not have 211 service anywhere in the state and no commission rules exist for offering 211 service. The commission has received an application from a United Way organization requesting designation as the 211 provider in SBC Missouri exchanges in sixteen (16) Missouri counties. In response to this application, the commission staff has worked with the United Way organization and SBC Missouri to develop the emergency rule language. Staff has also worked with SBC Missouri on tariff language that would set forth the rates, terms and conditions for making 211 service available. This emergency rule establishes requirements for an organization to be designated as a 211 provider and for the provision of 211 service. The commission has used procedures best calculated to assure fairness to all interested persons and parties under the circumstances because it has discussed the emergency rule with United Way and SBC Missouri, the most immediately affected parties. This emergency rule follows procedures which comply with the protections extended by the *Missouri* and *United States Constitutions*. The scope of this emergency rule is limited to the circumstances creating an emergency and requiring emergency action. This emergency rule was filed February 9, 2004, effective March 15, 2004, and expires September 10, 2004.*

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) Definitions. For the purposes of 4 CSR 240-32.200, the following definitions are applicable:

(A) 211 is an abbreviated dialing code assigned by the Federal Communications Commission for community information and referral services.

(B) Abbreviated dialing code is a three (3)-digit dialing pattern which enables callers to connect to a location in the telecommunications network that otherwise would be accessible only via a seven (7) or ten (10)-digit telephone number. The telecommunications network must be preprogrammed to translate the three (3)-digit code into the appropriate seven or ten (10)-digit telephone number and route the call accordingly.

(C) Accreditation is a process by which the Alliance of Information and Referral Systems determines whether information and referral programs are in compliance with the standards as set forth in the *Standards for Professional Information and Referral*, 4th edition, revised October 2002.

(D) Alliance of Information and Referral Systems (AIRS) is a non-profit, professional membership organization for information and referral providers.

(E) Applicant is a non-profit organization as defined by section 501(c)(3) of the federal tax code that requests to be authorized by the commission to become a Missouri Information and Referral Provider (I&R Provider).

(F) Exchange is used as defined in section 386.020, RSMo 2000.

(G) Information and Referral Provider (I&R Provider) is an organization which helps match people with requested services. The I&R Provider acts as an intermediary, matching the person with the necessary combination of human services that will address the individual's needs.

(H) Missouri I&R Provider is an I&R Provider that has received authority pursuant to this rule.

(I) Qualified human services entity is an entity offering human services and complying with AIRS standards for database inclusion thus

making it eligible to be included in a Missouri I&R Provider's database.

(J) Telecommunications company is used as defined in section 386.020, RSMo 2000.

(2) When a telecommunications company receives a request from an entity to use 211 as the Information and Referral Provider for a geographic area, the telecommunications company shall:

(A) Ensure that any entities that were using 211 at the local level prior to July 31, 2000 relinquish use of the code for noncompliant services;

(B) Take steps necessary (such as reprogramming switch software) to complete 211 calls from its subscribers to the Information and Referral Provider;

(C) Submit a tariff to the commission, if no tariff exists, incorporating rates, terms and conditions for 211 service;

(D) Determine that the entity is a Missouri I&R Provider or has submitted an application to become an authorized I&R Provider in Missouri.

(3) Entities interested in becoming a Missouri I&R Provider shall submit an application to the commission.

(A) All applications shall include a statement that the applicant meets the following criteria:

1. A statement that the applicant is a not-for-profit organization as defined by section 501(c)(3) of the federal tax code;

2. Adheres to the Alliance of Information and Referral Systems, Incorporated, *Standards for Professional Information and Referral*, 4th edition, revised October 2002, which is incorporated herein by reference, and is AIRS accredited, or has initiated the written application process and shall become accredited within three (3) years;

3. Offers comprehensive services pursuant to the AIRS standards;

4. Removes or excludes human services entities from the Missouri I&R Providers' database for failure to deliver service, fraud, misrepresentation and discrimination;

5. Provides teletype (TTY) services for speech and hearing impaired individuals and multi-lingual accessibility either on-site, or through access to translators.

(B) In addition to the requirements of subsection (A), all applications shall include:

1. A statement that the applicant possesses sufficient technical, financial and managerial resources and abilities to become the I&R Provider for the requested telephone exchanges;

2. A statement as to the applicant's ability and willingness to abide by commission rules and policies;

3. A statement that sets forth the exchange(s) to be served.

(4) Upon receipt of an application, the commission shall issue notice to all ILECs in the exchange(s) to be served, all facilities-based CLECs certificated to provide basic local telecommunications service, all human services entities listed in the yellow pages under the categories "Human Service Organizations" and "Social Service Organizations" for the exchanges to be served, all county seats for the requested exchanges, and all city governments in cities within the requested exchanges that have a population of five thousand (5,000) or more persons.

(A) The commission will authorize only one I&R Provider for each telephone exchange. This shall not preclude a Missouri I&R Provider from serving multiple telephone exchanges.

(B) The commission will grant an entity's application to become a Missouri I&R Provider unless it finds that granting the application is not in the public interest.

(5) A Missouri I&R Provider shall comply with the statements set forth in its application.

(6) A Missouri I&R Provider will be entitled to use the three (3) digit 211 abbreviated dialing code to serve the community for a period of three (3) years.

(7) A Missouri I&R Provider will be responsible for all costs of provisioning service, including nonrecurring and recurring charges incurred by the use of the abbreviated dialing code 211.

(8) Neither a telephone company nor a Missouri I&R Provider shall charge end users for 211 service.

(9) Any qualified human services entity may be listed in the Missouri I&R Provider's database at no charge. Missouri I&R Providers shall inform qualified human services entities that inclusion in the database is a privilege rather than a right and that they may be removed or excluded from the database for failure to deliver service, fraud, misrepresentation and discrimination.

(10) If the commission receives a formal complaint filed pursuant to 4 CSR 240-2 that a Missouri I&R Provider is in violation of the AIRS criteria, or of a statute, rule, order or tariff applicable to the provision of 211 service, or that its continued authorization is not in the public interest, the commission shall initiate an investigation of the complaint within twenty-one (21) calendar days after the filing of the written complaint and take action as appropriate, including but not limited to revocation of the Missouri I&R Provider's authorization.

(11) This rule is not subject to 4 CSR 240-32.010(3), which states that all telecommunications companies shall be in compliance with Chapter 32 requirements within six (6) months after the effective date of this rule and shall notify the commission of such compliance. All telecommunications companies and I&R Providers operating pursuant to this emergency rule shall comply with its requirements beginning on its effective date.

AUTHORITY: sections 386.040 and 386.250, RSMo 2000 and 392.200, RSMo Supp. 2003. Emergency rule filed Feb. 9, 2004, effective March 15, 2004, expires Sept. 10, 2004.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 33—Service and Billing Practices for Telecommunications Companies

PROPOSED AMENDMENT

4 CSR 240-33.110 Commission Complaint Procedures. The Public Service Commission is adding new sections (3) and (4) and renumbering the subsequent section.

PURPOSE: This amendment sets forth a response time requirement for telecommunications companies to respond to commission staff inquiries related to informal complaints.

(3) A telecommunications company shall acknowledge or respond by fax transmission or electronic mail to all commission staff inquiries related to informal complaints as follows:

(A) The company shall acknowledge receipt of inquiries related to denial or discontinuance of service issues within twenty-four (24) hours;

(B) The company shall acknowledge receipt of inquiries related to all other informal complaints within three (3) business days. Such acknowledgment shall include current account status and an estimated time frame for final response;

(C) If the company and commission staff have not informally agreed to a resolution to the informal complaint, the company shall provide a status report on the informal complaint within fifteen (15) days of receiving such inquiry unless the company and commission staff have agreed to an extension;

(D) The company shall provide, as soon as available, but no later than thirty (30) days after receiving such inquiry, the company's plan and time frame to resolve the informal complaint;

(E) If a formal complaint regarding the same inquiry is filed the company need not respond further to the informal complaint.

(4) If a telecommunications company and a customer fail to resolve a matter in dispute through the informal complaint process, the commission staff shall advise the customer of his/her right to file a formal complaint with the commission under 4 CSR 240-2.070.

[(3)](5) Pending the resolution of a complaint filed with the commission, the subject matter of such complaint shall not constitute a basis for discontinuance.

AUTHORITY: sections 386.040, [RSMo 1994] 386.250 and 392.200, RSMo [Supp. 1998] 2000. Original rule filed Jan. 14, 1977, effective Oct. 1, 1977. Rescinded and readopted: Filed Aug. 26, 1999, effective April 30, 2000. Amended: Filed Feb. 17, 2004.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102, (573) 751-3234. To be considered, comments must be received at the commission's offices within thirty (30) days of publication in the *Missouri Register*, and should include a reference to Commission Case No. TX-2001-512. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the commission's electronic filing and information system at <<http://www.psc.mo.gov/efis.asp>>. A public hearing is scheduled for April 23, 2004, at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, for interested persons to appear and respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline 1-800-392-4211, or TDD Hotline 1-800-829-7541.*

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

Division 70—Missouri Assistive Technology Advisory Council

Chapter 1—Assistive Technology Programs

PROPOSED AMENDMENT

8 CSR 70-1.010 Telecommunications Access Program. The council proposes to amend sections (5), (6), and (9).

PURPOSE: This amendment is being proposed to ensure appropriate match of equipment and person with a disability as required by law and to expedite equipment requests for certain consumers. The amendment also requires equipment approving agents participate in periodic training and allows applicants to request the same or similar replacement equipment without new disability certification.

(5) Approval of Certifying and Equipment Approving Agencies and Agents.

(B) Entities desiring to be designated as an equipment approval agent shall participate in **periodic** training provided by the program administrator. Such training shall include specific information about adaptive telecommunications equipment to support appropriate equipment selection. Upon satisfactory completion of **initial** training, the program administrator will provide equipment approval designation and will thereafter renew equipment approval designation based on subsequent participation in required training. **Equipment approval agents who do not participate in periodic training shall not retain approval designation.**

(6) Appeals Process. Applicants may appeal any disapproval of an equipment request by filing a written appeal with the Missouri Assistive Technology Advisory Council. No specific form shall be required. The appeal shall describe how the equipment requested is necessary for basic *[telephone]* telecommunications access and conforms with adopted program rules. The council may hear appeals during any regularly scheduled council meeting or may call a special meeting of the council for such purpose.

(9) TAP for Telephone Specific Procedures.

(B) Application Processing—The program administrator shall process TAP for telephone applications and deliver equipment and services that assure an appropriate match between an individual with a disability and adaptive equipment.

1. Each application shall be reviewed for completeness. If any information is missing, the applicant will be contacted and requested to supply such information.

2. Each applicant's eligibility will be verified by information provided on the application form.

3. If the application:

A. Requests the same equipment as was provided by the program at least four (4) years prior to this application, the prior equipment delivery will be verified and the new equipment request will be approved without new disability certification needed.

[A.] B. Requests equipment on the approved list, the request will be matched with disability description, as provided by the application form or equipment worksheet, and approved.

[B.] C. Requests equipment not on the approved list, the explanation will be reviewed to determine if the equipment is necessary for basic telephone access and is cost effective as compared to devices on the list. If so, the equipment request will be approved.

4. Upon verification of applicant eligibility and determination of equipment/disability match, the program administrator shall order the equipment from an approved vendor *[and will notify the applicant that the equipment has been ordered]*.

5. Equipment orders shall include applicant name, make and model of equipment ordered, applicant shipping address, **phone number**, and date of order. The program administrator shall transmit equipment orders directly to the vendor by facsimile or via other time expedient mechanism that is mutually agreeable.

6. Applicants will be notified if their equipment request cannot be approved *[as submitted and will be asked to revise their equipment request accordingly]*.

7. Upon receipt of equipment order, the vendor shall ship the equipment directly to the applicant's Missouri residence by verifiable delivery mechanism.

8. The vendor shall provide the program administrator with a monthly invoice of all equipment ordered and delivered.

9. The program administrator may establish alternative and pilot programs to increase program quality and consumer satisfaction. *[A voucher program for targeted types of adaptive telephone equipment may be implemented as an option to increase consumer choice for those applicants who are experienced users of such equipment.]*

(D) Equipment Ownership, Repair and Replacement —

1. Adaptive telephone equipment purchased for an individual applicant shall be owned by that applicant *[and applicants are in general responsible for service, repair, and replacement]*.

2. Adaptive telephone equipment will be covered by *[an extended warranty, purchased with the device,]* the **product warranty** or by a one (1)-year express warranty provided via the Missouri Lemon Law for Assistive Devices.

3. The program administrator may provide a repair and replacement program.

[3.] 4. Miscellaneous supplies, such as Text Telephone (TTY) paper *[and batteries]*, are the applicant's responsibility.

[4.] 5. An applicant shall be eligible for replacement equipment every four (4) years, unless their disability needs change. The program administrator may approve equipment replacement within this time period for extenuating circumstances.

[5.] 6. If an applicant's disability changes, rendering the adaptive telephone equipment inappropriate to meet their needs, the applicant may reapply for new equipment and shall provide a description of the disability change.

AUTHORITY: section 209.253, RSMo 2000. Emergency rule filed July 28, 2000, effective Aug. 28, 2000, expired Feb. 23, 2001. Original rule filed July 28, 2000, effective Jan. 30, 2001. Emergency amendment filed Dec. 21, 2000, effective Dec. 31, 2000, expired June 28, 2001. Amended: Filed Dec. 21, 2000, effective June 30, 2001. Amended: Filed Aug. 7, 2001, effective Feb. 28, 2002. Amended: Filed Feb. 4, 2004.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Assistive Technology Advisory Council, 4731 Cochise, Suite 114, Independence, MO 64055 or e-mail at matpmo@swbell.net. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 70—Missouri Assistive Technology Advisory
Council
Chapter 1—Assistive Technology Programs**

PROPOSED AMENDMENT

8 CSR 70-1.020 Assistive Technology Loan Program. The council proposes to amend the Purpose, sections (1) through (4), add a new section (5) and amend and renumber the remaining sections.

PURPOSE: This amendment is being proposed to address program expansion to include financial loans for equipment needed by individuals with disabilities to telework as authorized through federal funding.

PURPOSE: This rule establishes the standards and procedures for the provision of a statewide low-interest loan program providing financing to eligible persons for purchasing assistive technology devices and services and financing for equipment to be used by persons with disabilities to telework. This rule implements sections 191.850 through 191.867, RSMo 2000.

(1) **Program Title.** The assistive technology loan program established in sections 191.850 through 191.867, RSMo 2000, shall hereinafter be referred to as “Show-Me Loans for Assistive Technology and Telework.”

(2) **Definitions.** As used in this rule, except as otherwise required for the context, the following terms have the meanings ascribed:

(E) **Program**—is the Show-Me Loans for Assistive Technology and Telework Program;

(F) **Eligible applicant**—is an individual seeking a loan to assist one (1) or more individuals with disabilities obtain an assistive technology device or service **or obtain equipment for telework**;

(H) **Program administrator**—is staff of Missouri Assistive Technology or other entity so designated by the Missouri Assistive Technology Advisory Council[.];

(I) **Telework**— is work as an employee or contractor or as a self-employed individual on a full-time or part-time basis from home or other remote site;

(J) **Telework equipment**— is equipment that will be used by an individual with a disability to work from home or from other remote site;

(K) **Revolving loan**—is a loan made directly from and repaid directly into the Assistive Technology Loan Revolving Fund;

(L) **Commercial loan**—is a loan from a commercial lending institution that is supported by a fee, loan guarantee, interest buy-down or other financial support through the Show-Me Loans program.

(3) **Applicant Eligibility.**

(A) **Eligible applicants shall:**

1. Be residents of Missouri;
2. Be seeking a loan that will assist an individual with a disability obtain an assistive technology device or service **or obtain equipment for telework**;
3. Meet program standards established by the council.

[(C)] Eligible applicants shall have an annual adjusted gross income that does not exceed sixty thousand dollars (\$60,000) for an individual or an individual plus a second exemption, spouse or dependent. For each additional dependent claimed, five thousand dollars (\$5,000) shall be added to the sixty thousand dollars (\$60,000) base level.]

(4) *[Assistive Technology Eligible for Loan Funds.]* **Equipment Eligible for Assistive Technology Loan Funds.**

(A) **Allowable devices shall include, but not be limited to:**

- [(A)]* 1. Wheelchairs, motorized scooters and other mobility aids;
- [(B)]* 2. Braille equipment;
- [(C)]* 3. Scanners;
- [(D)]* 4. Hearing aids and other assistive listening systems;
- [(E)]* 5. Augmentative communication systems;
- [(F)]* 6. Environmental control units;

[(G)] 7. Computers and adaptive computer peripherals;

[(H)] 8. Building modifications for accessibility **limited to the cost of the modifications**;

[(I)] 9. Motor vehicle modifications for accessibility. Motor vehicles such as automobiles, vans, or trucks are not eligible items for **revolving** loans. *[Building modifications for homes are limited to the cost of the modifications.]*

(B) Loans are not permitted toward the purchase of a home.

(5) **Equipment Eligible for Telework Loan Funds.**

(A) **Allowable equipment shall include, but not be limited to:**

1. Computers and computer hardware and software;
2. Adaptive computer hardware or software;
3. Office equipment;
4. Adaptive equipment or devices needed to telework;
5. Access modifications to a home or remote site to be used in telework.

(B) Loans are not permitted toward the purchase of a building or for the purchase of services, including, but not limited to, monthly Internet service charges.

[(5)] (6) **Loan Standards.**

(A) **Interest Rates.** As a Special Purpose Credit Program under Section 8 of Regulation B of the Equal Credit Opportunity Act, the loan program may base interest rates on economic need rather than credit risk factors. The council shall establish an interest rate formula for borrowers based on individual payment abilities. *[The interest rate for individuals with a gross annual income of thirty thousand dollars (\$30,000) or more shall not exceed the prime interest rate. The interest rate for individuals with a gross annual income of more than fifteen thousand dollars (\$15,000) but less than thirty thousand dollars (\$30,000) shall not exceed one (1) percentage point below the prime interest rate. The interest rate for individuals with a gross annual income of fifteen thousand dollars (\$15,000) or less shall not exceed two (2) percentage points below the prime interest rate. The interest rates for loans shall be lower than comparable commercial lending rates.]* The interest rate for individuals with an adjusted gross annual income of sixty thousand dollars (\$60,000) or more shall be one (1) percentage point above the prime interest rate or higher. The interest rate for individuals with an adjusted gross annual income of at least thirty thousand dollars (\$30,000) but less than sixty thousand dollars (\$60,000) shall be the prime interest rate or lower. The interest rate for individuals with an adjusted gross annual income of at least fifteen thousand dollars (\$15,000) but less than thirty thousand dollars (\$30,000) shall be one (1) percentage point below the prime interest rate or lower. The interest rate for individuals with an adjusted gross income of less than fifteen thousand dollars (\$15,000) shall be two (2) percentage points below the prime interest rate or lower. Loans may be made with no interest.

(B) **Principal Buy-Down.** The council may establish criteria for a principal buy-down of not more than twenty percent (20%) of the loan principal for borrowers with financial circumstances who would otherwise be unable to afford a loan.

[(B)] (C) **Repayment Periods.** The council shall establish repayment periods for borrowers based on the ability to pay. Loan repayment periods for revolving loans shall not exceed ten (10) years.

[(C)] (D) **Loan Amount.** The maximum loan amount per applicant for *[Fiscal Year 2002 shall be ten thousand dollars (\$10,000)]* revolving loans for the fiscal year immediately following adoption of this rule shall be fifteen thousand dollars (\$15,000). Thereafter, the council shall have the authority to review and adjust the maximum loan amount.

[(D)] (E) **Other.** The council shall establish standards at the beginning of each year for matters necessary to implement the program. These standards shall include, but not be limited to, requirements for security or collateral for loans, and limits on the numbers and

amounts of loans to assure the continued solvency of the loan program fund.

[(6)] (7) Application Procedures. Individuals shall apply for the program, on forms approved by the program administrator, that include:

(A) Applicant name, home and mailing address, home and work phone, and Social Security number.

(B) If the applicant does not have a disability, a description of the applicant's relationship to the individual with a disability, the name of the person with a disability, if different from applicant; and the type of disability;

(C) Whether the applicant is applying as an individual or with a co-applicant;

(D) **For an assistive technology loan, //identification of the assistive technology that the applicant plans to purchase; a description of how the assistive technology will improve the life of the person with a disability; the cost of the assistive technology; amount of loan requested; and the name, address and phone number of the vendors, contractors, or individuals from whom the assistive technology will be purchased;**

(E) For a telework loan, identification of the telework equipment that the applicant plans to purchase; the cost of the telework equipment; amount of loan requested; and the name, address and phone number of the vendors, contractors, or individuals from whom the telework equipment will be purchased; and other pertinent information in a format to be determined by the program administrator;

[(E)] (F) Certification by the applicant that they authorize the program administrator to check the applicant's credit, make all inquiries necessary to verify the accuracy of the information provided, and share all financial, credit, and other pertinent information with required entities for the sole purposes of loan approval and loan maintenance;

[(F)] (G) Whether the applicant rents or owns housing; name of landlord or mortgagor; monthly rent or mortgage payment; years and months living at current address and at previous address; name, address, and phone number of current employer; amount of gross monthly income from employment; source and monthly amount of income other than employment; name, address, and phone number of previous employer; years and months at current employer and previous employer; position or occupation at current employer and at previous employer; whether the applicant has a checking or a savings account; the bank name that holds the checking or savings account; and the names, addresses, phone numbers, and relationship to the applicant of the two (2) closest living relatives not living at applicant's address. If there is a co-applicant, all information in section (6) is also required for the co-applicant including a spouse if the spouse is contractually liable for repayment or if the applicant is relying on the income of spouse for approval of credit;

[(G)] (H) Information about the applicant's current financial obligations including, but not limited to: financial institutions, department stores, credit cards, leases, unpaid taxes, alimony and child support. The applicant shall include information including the responsibility of the applicant and any co-applicant, the name of creditors, current outstanding balances, monthly or other term payments;

[(H)] (I) Information required by federal or state statute;

[(I)] (J) A statement to be signed by the applicant verifying the truthfulness and accuracy of all information submitted;

[(J)] (K) In addition to information required on the application, applicants shall supply any additional information and supporting documentation which the program administrator deems reasonably necessary to determine the applicant's eligibility to receive a loan through the program.

[(7)] (8) Application Review Procedures.

(A) Initial Application Review. Upon receipt of an application, the program administrator will perform an initial review to verify that the applicant is seeking a loan for assistive technology **or telework**

for an individual with a disability. The program administrator will perform an initial review of the applicant's creditworthiness, ability to repay the loan, and ability to meet the eligibility criteria established by the council.

(B) Loan Application Review. Following initial application review, the application will be submitted by the program administrator for approval or denial by the loan application review committee.

1. The loan application review committee shall consist of no fewer than five (5) members and no more than eleven (11) members. At least one (1) member shall be a Missouri Assistive Technology Advisory Council member. A majority of members shall be individuals with disabilities or individuals who have a family member with disability. The council shall appoint loan application review committee members for three (3)-year terms.

2. The loan application review committee shall approve or deny applications **for revolving loans** based on the eligibility criteria and financial standards established by the council.

3. The loan application review committee shall approve or deny applications for commercial loans based on the eligibility criteria and financial standards established by the council, and shall forward the application to the commercial lending institution for review and final approval or denial.

(C) Approved Loan Processing.

1. **For revolving loans, //the** program administrator shall prepare a resolution on behalf of the council that will serve as an invoice for payment purposes upon approval of a loan application.

2. **[The program administrator shall submit by fax the resolution and all other necessary paperwork to immediately transfer funds from the Assistive Technology Revolving Loan Fund to the entity initiating the loan.] For commercial loans approved by the commercial financial institution, the program administrator shall prepare a resolution and process the corresponding payment to support the loan.**

(D) Denied Loan Processing. The program administrator shall notify the applicant in writing following the denial of a loan application. The notification shall include information about how to appeal the denial decision.

[(8)] (9) Appeals Process.

(A) Applicants may appeal any disapproval of a **revolving** loan application by filing a written appeal with the Missouri Assistive Technology Advisory Council. No specific form shall be required. The council may hear appeals during any regularly scheduled council meeting or may call a special meeting of the council for such purpose. The council's decision regarding approval or denial of a loan shall be final.

(B) Applicants may appeal any disapproval of a commercial loan using the commercial lending institution's appeal procedures.

[(9)] (10) Fraud. If an applicant supplies false information or obtains a loan through misrepresentation of facts on the application, the program administrator may demand return of the item(s) for which the loan was provided and may declare such applicants ineligible for future loans.

AUTHORITY: section 191.865, RSMo 2000. Original rule filed July 10, 2001, effective Jan. 30, 2002. Amended: Filed Feb. 4, 2004.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the

Missouri Assistive Technology Advisory Council, 4731 Cochise, Suite 114, Independence, MO 64055 or e-mail at matpmo@swbell.net. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 5—Laboratory and Analytical Requirements**

PROPOSED AMENDMENT

10 CSR 60-5.010 Accepted and Alternate Procedures for Analyses. The commission is amending sections (1)–(6).

PURPOSE: This proposed amendment updates analytical methods required by various federal rules, including the Radionuclide Rule, Stage 1 Disinfectants/Disinfection By-Products Rule, and the Interim and Long-Term 1 Enhanced Surface Water Treatment Rules. The style of the rule is changed to incorporation by reference rather than repeating the text of the federal requirements here.

(1) Inorganic and *[Radiological]* **Secondary** Contaminants. Unless substitute methods are approved by the department, analysis shall be conducted in accordance with the *[methods listed in the following table. All analytical methods listed in this rule]* **inorganic and secondary contaminant analytical methods in paragraphs 40 CFR 141.23(k)(1) and 40 CFR 143.4(b) of the July 1, 2003 Code of Federal Regulations, which** are incorporated by reference **in this rule.** *[Criteria for analyzing arsenic, barium, beryllium, cadmium, calcium, chromium, copper, lead, nickel, selenium, sodium, and thallium with digestion or directly without digestion, and other analytical test procedures are contained in "Technical Notes on Drinking Water Methods," EPA-600/R-94-173, October 1994. This document also contains approved analytical test methods which remain available for compliance monitoring until July 1, 1996. These methods will not be available for use after July 1, 1996. This document is available from the National Technical Information Service, NTIS PB95-104766, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161. The toll free number is 800-553-6847.]*

<i>[Contaminant</i>	<i>Methodology</i> <i>(if appropriate)</i>	<i>Method</i> <i>(if appropriate)</i>	<i>Reference</i>
Aluminum	Inductively Coupled Plasma—Emission Spectroscopy	200.7	22
		3120 B	17
	Inductively Coupled Plasma—Mass Spectrometry Atomic Absorption—Platform Technique	200.8	22
		200.9	22
		3113 B 3111 D	17 17
Antimony	Atomic Absorption—Gaseous Hydride	D3697-92	19
	Atomic Absorption—Graphite Furnace	3113 B	17
	Inductively Coupled Plasma—Mass Spectrometry	200.8	22
	Atomic Absorption—Platform Technique	200.9	22
Arsenic	Atomic Absorption—Graphite Furnace	D2972-93C	19
		3113 B	17
	Atomic Absorption—Gaseous Hydride	D2972-93B	19
		3114 B	17
	Atomic Absorption—Platform	200.9	22
	Inductively Coupled Plasma—Emission Spectroscopy	200.7	22
		3120 B	17
Asbestos	Transmission Electron Microscopy	200.8	22
Barium	Inductively Coupled Plasma—Mass Spectrometry	100.1	7
		100.2	27
	Atomic Absorption—Graphite Furnace Atomic Absorption—Direct Aspiration		
Beryllium	Inductively Coupled Plasma—Mass Spectrometry	200.7	22
		3120 B	17
	Atomic Absorption—Graphite Furnace		
Bromate	Inductively Coupled Plasma—Mass Spectrometry	200.8	22
	Atomic Absorption—Graphite Furnace		
Bromide	Inductively Coupled Plasma—Mass Spectrometry	200.7	22
		3120 B	17
	Atomic Absorption—Graphite Furnace		
Cadmium	Inductively Coupled Plasma—Mass Spectrometry	200.8	22
	Atomic Absorption—Graphite Furnace		
Chloride	Inductively Coupled Plasma—Mass Spectrometry	200.9	22
		200.7	22
	Atomic Absorption—Graphite Furnace	200.8	22
Chlorite	Inductively Coupled Plasma—Mass Spectrometry	3113 B	17
		200.9	22
	Atomic Absorption—Graphite Furnace	200.7	22
		3120 B	17
		200.8	22
Chromium	Inductively Coupled Plasma—Mass Spectrometry	300.0	25
		D4327-91	19
	Atomic Absorption—Graphite Furnace	4500-Cl ⁺ D	17
Color	Inductively Coupled Plasma—Mass Spectrometry	300.0	25
		300.1	31
	Atomic Absorption—Graphite Furnace		

<i>Contaminant</i>	<i>Methodology (if appropriate)</i>	<i>Method (if appropriate)</i>	<i>Reference</i>
<i>Copper</i>	<i>Atomic Absorption—Furnace Technique</i>	<i>D1688-90C</i>	<i>19</i>
		<i>3113 B</i>	<i>17</i>
	<i>Atomic Absorption—Platform</i>	<i>200.9</i>	<i>22</i>
	<i>Atomic Absorption—Direct Aspiration</i>	<i>D1688-90A</i>	<i>19</i>
		<i>3111 B</i>	<i>17</i>
	<i>Inductively Coupled Plasma</i>	<i>200.7</i>	<i>22</i>
		<i>3120 B</i>	<i>17</i>
	<i>Inductively Coupled Plasma—Mass Spectrometry</i>	<i>200.8</i>	<i>22</i>
<i>Cyanide</i>	<i>Manual distillation followed by—</i>	<i>4500-CN C</i>	<i>17</i>
	<i>1. Amenable Spectrophotometric</i>	<i>D2036-91B</i>	<i>19</i>
		<i>4500-CN G</i>	<i>17</i>
	<i>2. Spectrophotometric—Manual</i>	<i>D2036-91A</i>	<i>19</i>
		<i>4500-CN E</i>	<i>17</i>
		<i>1-3300-85</i>	<i>24</i>
	<i>3. Spectrophotometric—</i>		
	<i>Manual—Semiautomated</i>	<i>335.4</i>	<i>25</i>
	<i>4. Selective Electrode</i>	<i>4500-CN F</i>	<i>17</i>
<i>Dissolved Organic Carbon (DOC)</i>	<i>High-Temperature Combustion</i>	<i>5310 B</i>	<i>29</i>
	<i>Persulfate-Ultraviolet or Heated-Persulfate Oxidation</i>	<i>5310 C</i>	<i>29</i>
	<i>Wet-Oxidation</i>	<i>5310 D</i>	<i>29</i>
<i>Fluoride</i>	<i>Colorimetric SPADNS, with distillation</i>	<i>4500-F B&D</i>	<i>17</i>
	<i>Ion Chromatography</i>	<i>300.0</i>	<i>25</i>
		<i>D4327-91</i>	<i>19</i>
		<i>4110B</i>	<i>17</i>
	<i>Manual Electrode</i>	<i>D1179-93B</i>	<i>19</i>
		<i>4500-F C</i>	<i>17</i>
	<i>Automated Alizarin Fluoride Blue, with distillation (complexone)</i>	<i>4500-F E</i>	<i>17</i>
		<i>129-71W</i>	<i>9</i>
	<i>Automated Ion Selective Electrode</i>	<i>380-75WE</i>	<i>10</i>
<i>Foaming Agents</i>		<i>5540 C</i>	<i>17</i>
<i>Iron</i>		<i>200.7</i>	<i>22</i>
		<i>200.9</i>	<i>22</i>
		<i>3120 B</i>	<i>17</i>
		<i>3111 B</i>	<i>17</i>
		<i>3113 B</i>	<i>17</i>
<i>Lead</i>	<i>Atomic Absorption—Furnace Technique</i>	<i>D3559-90D</i>	<i>19</i>
		<i>3113 B</i>	<i>17</i>
	<i>Inductively Coupled Plasma—Mass Spectrometry</i>	<i>200.8</i>	<i>22</i>
	<i>Atomic Absorption—Platform Furnace</i>	<i>200.9</i>	<i>22</i>
<i>Manganese</i>		<i>200.7</i>	<i>22</i>
		<i>200.8</i>	<i>22</i>
		<i>200.9</i>	<i>22</i>
		<i>3120 B</i>	<i>17</i>
		<i>3111 B</i>	<i>17</i>
		<i>3113 B</i>	<i>17</i>
<i>Mercury</i>	<i>Manual cold vapor technique</i>	<i>245.1</i>	<i>22</i>
		<i>D3223-91</i>	<i>19</i>
		<i>3112 B</i>	<i>17</i>

<i>Contaminant</i>	<i>Methodology (if appropriate)</i>	<i>Method (if appropriate)</i>	<i>Reference</i>
<i>Mercury (cont.)</i>	<i>Automated cold vapor technique</i>	245.2	1
	<i>Inductively Coupled Plasma—Mass Spectrometry</i>	200.8	22
<i>Nickel</i>	<i>Atomic Absorption—Direct Aspiration</i>	3111 B	17
	<i>Atomic Absorption—Platform Technique</i>	200.9	22
	<i>Inductively Coupled Plasma—Emission Spectroscopy</i>	200.7	22
		3120 B	17
	<i>Inductively Coupled Plasma—Mass Spectrometry</i>	200.8	22
	<i>Atomic Absorption—Graphite Furnace</i>	3113 B	17
<i>Nitrate</i>	<i>Manual Cadmium Reduction</i>	D3867-90B	19
		4500-NO ₃ ⁻ E	17
	<i>Automated Cadmium Reduction</i>	353.2	25
		D3867-90A	19
		4500-NO ₃ ⁻ F	17
	<i>Ion Selective Electrode</i>	4500-NO ₃ ⁻ D	17
		601	26
	<i>Ion Chromatography</i>	300.0	25
		B1011	8
		4110 B	17
		D4327-91	19
<i>Nitrite</i>	<i>Spectrophotometric</i>	4500-NO ₃ ⁻ B	17
		353.2	25
	<i>Automated Cadmium Reduction</i>	D3867-90A	19
		4500-NO ₃ ⁻ F	17
		D3867-90B	19
	<i>Manual Cadmium Reduction</i>	4500-NO ₃ ⁻ E	17
		300.0	25
	<i>Ion Chromatography</i>	B1011	8
		D4327-91	19
		4110 B	17
<i>Odor</i>		2150 B	17
<i>Operational Monitoring— Disinfection Byproducts— Chlorite</i>	<i>Amperometric Titration</i>	4500-ClO ₂ E	28
<i>Operational Monitoring— General</i>			17
<i>Operational Monitoring— Lead and Copper Regulation</i>	<i>pH Electrometric</i>	150.1	1
		150.2	1
		D1293-84	19
		4500-H ⁺ -B	17
	<i>Conductivity</i>	D1125-91A	19
		2510 B	17
	<i>Calcium (EDTA Titrimetric)</i>	D511-93A	19
		3500-Ca-D	17
	<i>(Inductively Coupled Plasma)</i>	200.7	22
		3120 B	17
	<i>(Atomic Absorption—Direct Aspiration)</i>	D511-93B	19
		3111 B	17
	<i>Alkalinity (Titrimetric)</i>	D1067-92B	19
		2320 B	17
	<i>(Electrometric Titration)</i>	I-1030-85	24

<i>Contaminant</i>	<i>Methodology (if appropriate)</i>	<i>Method (if appropriate)</i>	<i>Reference</i>
<i>Operational Monitoring—</i>			
<i>Lead and Copper</i>			
<i>Regulation (cont.)</i>			
	<i>Orthophosphate (unfiltered, no digestion or hydrolysis) (Colorimetric, automated ascorbic acid)</i>	365.1 4500-P-F	25 17
	<i>(Colorimetric, ascorbic acid single reagent)</i>	D515-88A 4500-P-E	19 17
	<i>(Colorimetric, phosphomolybdate, automated-segmented flow, automated discrete)</i>	I-1601-85 I-2601-90 I-2598-85	24 24 24
	<i>(Ion Chromatography)</i>	300.0 D4327-91 4110	25 19 17
	<i>Silica (Colorimetric, molybdate blue, automated-segmented flow)</i>	I-1700-85 I-2700-85	24 24
	<i>(Colorimetric)</i>	D859-88	19
	<i>(Molybdosilicate)</i>	4500-Si-D	17
	<i>(Heteropoly blue)</i>	4500-Si-E	17
	<i>(Automated method for molybdate-reactive silica)</i>	4500-Si-F	17
	<i>(Inductively Coupled Plasma)</i>	200.7 3120 B	22 17
<i>Operational Monitoring—</i>			
<i>pH</i>	<i>pH Value</i>	150.1 150.2 D1293-84 4500-H ⁺ B	1 1 19 17
<i>Operational Monitoring—</i>			
<i>Residual Disinfectant</i>			
<i>Monitoring—</i>			
<i>Chlorine Dioxide</i>	<i>Amperometric Method II</i>	4500-ClO ₂ E	28
	<i>DPD Method</i>	4500-ClO ₂ D	28
<i>Combined Chlorine</i>	<i>Amperometric Titration</i>	4500-Cl D	28
		D 1253-86	30
	<i>DPD Ferrous Titrimetric</i>	4500-Cl F	28
	<i>DPD Colorimetric</i>	4500-Cl G	28
<i>Free Chlorine</i>	<i>Amperometric Titration</i>	4500-Cl D	28
		D 1253-86	30
	<i>DPD Ferrous Titrimetric</i>	4500-Cl F	28
	<i>DPD Colorimetric</i>	4500-Cl G	28
	<i>Syringaldazine (FACTS)</i>	4500-Cl H D 1253-86	28 30
<i>Ozone</i>	<i>Indigo</i>	4500-O B	17
<i>Total Chlorine</i>	<i>Amperometric Titration</i>	4500-Cl D	28
		D 1253-86	30
	<i>Low Level Amperometric Titration</i>	4500-Cl E	28
	<i>DPD Ferrous Titrimetric</i>	4500-Cl F	28
	<i>DPD Colorimetric</i>	4500-Cl G	28
	<i>Iodometric Electrode</i>	4500-Cl I	28
<i>Operational Monitoring—</i>			
<i>Temperature</i>	<i>Thermometric</i>	2550 B	17
<i>Radionuclides</i>			
			11
			12
			13
	<i>Examination of Water & Wastewater for Radioactivity</i>	700	3
	<i>Gamma Spectrometry in Water</i>	D2459	2

<i>Contaminant</i>	<i>Methodology (if appropriate)</i>	<i>Method (if appropriate)</i>	<i>Reference</i>
<i>Radionuclides (cont.)</i>	<i>Microquantities of Uranium in Water by Fluorometry</i>	<i>D2907</i>	<i>2</i>
<i>Secondary Contaminants</i>			<i>3</i>
<i>Selenium</i>	<i>Atomic Absorption—Hydride Generation</i>	<i>D3859-93A</i>	<i>19</i>
		<i>3114 B</i>	<i>17</i>
	<i>Atomic Absorption—Graphite Furnace</i>	<i>D3859-93</i>	<i>19</i>
		<i>3113 B</i>	<i>17</i>
	<i>Atomic Absorption—Platform</i>	<i>200.9</i>	<i>22</i>
	<i>Inductively Coupled Plasma—Mass Spectrometry</i>	<i>200.8</i>	<i>22</i>
<i>Silver</i>	<i>Atomic Absorption—Graphite Furnace</i>	<i>I-3720-85</i>	<i>24</i>
	<i>Inductively Coupled Plasma—Emission Spectroscopy</i>	<i>200.7</i>	<i>22</i>
	<i>Inductively Coupled Plasma—Mass Spectrometry</i>	<i>200.8</i>	<i>22</i>
	<i>Atomic Absorption—Platform Technique</i>	<i>200.9</i>	<i>22</i>
		<i>3120 B</i>	<i>17</i>
		<i>3111 B</i>	<i>17</i>
		<i>3113 B</i>	<i>17</i>
<i>Sulfate</i>	<i>Colorimetric—Methylthymol blue</i>	<i>375.2</i>	<i>25</i>
	<i>Gravimetric</i>	<i>4500-SO₄²⁻ C, D</i>	<i>17</i>
	<i>Turbidimetric</i>	<i>4500-SO₄²⁻ F</i>	<i>17</i>
	<i>Ion Chromatography</i>	<i>300.0</i>	<i>25</i>
		<i>4110</i>	<i>17</i>
		<i>D4327-91</i>	<i>19</i>
<i>Thallium</i>	<i>Atomic Absorption—Platform Technique</i>	<i>200.9</i>	<i>22</i>
	<i>Inductively Coupled Plasma—Mass Spectrometry</i>	<i>200.8</i>	<i>22</i>
<i>Total Dissolved Solids</i>		<i>2540 C</i>	<i>17</i>
<i>Total Organic Carbon (TOC)</i>	<i>High-Temperature Combustion</i>	<i>5310 B</i>	<i>29</i>
	<i>Persulfate-Ultraviolet or Heated-Persulfate Oxidation</i>	<i>5310 C</i>	<i>29</i>
	<i>Wet-Oxidation</i>	<i>5310 D</i>	<i>29</i>
<i>Turbidity</i>	<i>Nephelometric</i>	<i>2130 B</i>	<i>17</i>
		<i>180.1</i>	<i>25</i>
	<i>Great Lakes Instruments</i>	<i>Method 2</i>	<i>18</i>
<i>Sodium</i>	<i>Inductively Coupled Plasma</i>	<i>200.7</i>	<i>22</i>
	<i>Atomic Absorption—Direct Aspiration</i>	<i>3111 B</i>	<i>17</i>
<i>Ultraviolet Absorption at 254 nm (UV₂₅₄)</i>	<i>Ultraviolet Absorption</i>	<i>5910 B</i>	<i>28</i>
<i>Zinc</i>		<i>200.8</i>	<i>22</i>
		<i>3111 B</i>	<i>17</i>

Footnotes

1) If approved by the department, systems may also measure residual disinfectant concentrations for chlorine, chloramines, and chlorine dioxide by using DPD colorimetric test kits.

2) A party approved by the department must measure residual disinfectant concentration.

3) Amperometric titration may be used for routine daily monitoring of chlorite at the entrance to the distribution system. Ion chromatography must be used for routine monthly monitoring of chlorite and additional monitoring of chlorite in the distribution system.

4) TOC samples may not be filtered prior to analysis. TOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed twenty-four (24) hours. Acidified TOC samples must be analyzed within twenty-eight (28) days.

5) UV absorption must be measured at 253.7 nm (may be rounded off to 254 nm). Prior to analysis, UV_{254} samples must be filtered through a 0.45 μ m pore-diameter filter. The pH of UV_{254} samples may not be adjusted. Samples must be analyzed as soon as practical after sampling, not to exceed forty-eight (48) hours.

6) Specific Ultraviolet Absorbance (SUVA). SUVA is equal to the UV absorption at 254 nm (UV_{254}) (measured in m^{-1}) divided by the dissolved organic carbon (DOC) concentration (measured as mg/l). In order to determine SUVA, it is necessary to separately measure UV_{254} and DOC. When determining SUVA, systems must use the methods stipulated in subparagraph (7)(D)4.A. of this rule to measure DOC and the method stipulated in subparagraph (7)(D)4.B. of this rule to measure UV_{254} . SUVA must be determined on water prior to the addition of disinfectants/oxidants by the system. DOC and UV_{254} samples used to determine a SUVA value must be taken at the same time and at the same location.

7) Prior to analysis, DOC samples must be filtered through a 0.45 μ m pore-diameter filter. Water passed through the filter prior to filtration of the sample must serve as the filtered blank. This filtered blank must be analyzed using procedures identical to those used for analysis of the samples and must meet the following criteria: DOC < 0.5 mg/L. DOC samples must be filtered through the 0.45 μ m pore-diameter filter prior to acidification. DOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed forty-eight (48) hours. Acidified DOC samples must be analyzed within twenty-eight (28) days.]

[(A) References for analytical methods incorporated by reference in 10 CSR 60-5.010(1).

1. "Methods of Chemical Analysis of Water and Wastes," EPA Environmental Monitoring and Support Laboratory, Cincinnati, OH 45268 (EPA-600/4-79-020), March 1983. Available from National Technical Information Service, PB84-128677. Methods 150.1, 150.2 and 246.2 are also available from U.S. EPA, EMSL, Cincinnati, OH 45268.

2. Annual Book of ASTM Standards, Vols. 11.01 and 11.02, 1991, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

3. Standard Methods for the Examination of Water and Wastewater, 16th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1985.

4. "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments," Techniques of Water-Resources Investigations of the U.S. Geological Survey Books, Book 5, Chapter A1, Third Edition, 1989. Available at Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

5. "Orion Guide to Water and Wastewater Analysis." Form WeWWG/5880, p. 5, 1985. Orion Research, Inc., Cambridge, MA 02139.

6. 200.7A "Inductively Coupled Plasma Atomic Emission Analysis of Drinking Water," Appendix to Method 200.7, March 1987, U.S. EPA, Environmental Monitoring and Support Laboratory, Cincinnati, OH 45268.

7. "Analytical Method for Determination of Asbestos Fibers in Water," Method 100.1, EPA-600/4-83-043, September 1983. Available from National Technical Information Service, PB83-260471.

8. "Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography," Method B-1011, Millipore Corporation, Waters Chromatography Division, 34 Maple Street, Milford, MA 01757.

9. "Fluoride in Water and Wastewater," Industrial Method 129-71W, Technicon Industrial Systems, Tarrytown, NY 10591, December 1972.

10. "Fluoride in Water and Wastewater," Industrial Method No. 380-75WE, Technicon Industrial Systems, Tarrytown, NY 10591, February 1976.

11. "Radiochemical Methodology for Drinking Water," Environmental Monitoring Support Laboratory, EPA-600/4-75-008, U.S. EPA, Cincinnati, OH 45268.

12. "Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," H.L. Krieger and S. Gold, EPA-R4-730014, U.S. EPA, Cincinnati, OH, May 1973.

13. HASL Procedure Manual, edited by John H. Harley, HASL 300, ERDA Health and Safety Laboratory, New York, NY, 1973.

14. "Determination of and Trace Elements in Water and Wastes by Inductively Coupled Plasma-Mass Spectrometry," Method 200.8, version 4.3, August 1990, EPA, Environmental Monitoring and Systems Laboratory, Cincinnati, OH 45268. Available from ORD Publication, CERL, EPA, Cincinnati, OH 45268.

15. "Determination of Metals and Trace Elements by Stabilized Temperature Graphite Furnace Atomic Absorption Spectrometry," Method 200.9, version 1.1, August 1990, EPA, Environmental Monitoring and Systems Laboratory, Cincinnati, OH 45268.

16. "Determination of Ozone in Water by the Indigo Method; A Submitted Standard Method," Ozone Science and Engineering, Volume 4, pages 169-176, Pergamon Press Ltd., 1982.

17. Standard Methods for the Examination of Water and Wastewater, 18th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1992.

18. "Turbidity," GLI Method 2, November 2, 1992, Great Lakes Instruments, Inc., 8855 North 55 Street, Milwaukee, WI 53223.

19. Annual Book of ASTM Standards, Vols. 11.01 and 11.02, 1994, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

20. "Determination of Metals and Trace Elements in Water and Wastes by Inductively Coupled Plasma-Mass Spectrometry" Method 200.8, August 1990, Revision 3.2 EPA EMSL. Available from U.S. EPA, EMSL Cincinnati, OH 45268.

21. "Determination of Inorganic Ions in Water by Ion Chromatography" Method 300.8, December 1989, U.S. EPA EMSL. Available from U.S. EPA, EMSL, Cincinnati, OH 45268.

22. "Methods for the Determination of Metals in Environmental Samples—Supplement I, EPA-600/R-94-111, May 1994." Available from National Technical Information Service (NTIS) NTIS PB 94-184942, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161. The toll free number is (800) 553-6847.

23. "Method 300. Determination of Inorganic Anions in Water by Ion Chromatography." Inorganic Chemistry Branch, Environmental Monitoring Systems Laboratory, August 1991.

24. Available from the Books and Open-File Reports Section, United States Geological Survey, Federal Center, Box 25425, Denver, CO 80225-0425.

25. "Methods for the Determination of Inorganic Substances in Environmental Samples," EPA-600/R-93-100, August 1993. Available from National Technical Information Service, PB94-121811.

26. The procedure shall be done in accordance with the Technical Bulletin 601, "Standard Method of Test for Nitrate in Drinking Water," July 1994, PN 221890-001, Analytical Technology, Inc. Available from ATI, Orion, 529 Main Street, Boston, MA 02129.

27. "Determination of Asbestos Structure over 10- μ m in Length in Drinking Water," Method 100.2, EPA-600/R-94-134, June 1994. Available from NTIS, PB94-201902.

28. Standard Methods for the Examination of Water and Wastewater, 19th edition, American Public Health Association, 1995. Copies may be obtained from the American Public Health Association, 1015 Fifteenth Street, NW, Washington, DC 20005.

29. Supplement to the 19th Edition of Standard Methods for the Examination of Water and Wastewater, American Public Health Association, 1996. Copies may be obtained from the American Public Health Association, 1015 Fifteenth Street, NW, Washington, DC 20005.

30. Annual Book of ASTM Standards, Volume 11.01, American Society for Testing and Materials, 1996 edition. Copies may be obtained from American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428.

31. EPA Method 300.1 is titled "USEPA Method 300.1, Determination of Inorganic Anions in Drinking Water by Ion Chromatography, Revision 1.0," U.S. EPA, 1997, EPA/600/R-98/118 (available through NTIS, PB98-169196); also available from: Chemical Exposure Research Branch, Microbiological & Chemical Exposure Assessment Research Division, National Exposure Research Laboratory, U.S. Environmental Protection Agency, Cincinnati, OH 45268, fax number: 513-569-7757, phone number: 513-569-7586.]

(2) Organic Contaminants. Unless substitute methods are approved [the following table includes acceptable analysis procedures incorporated by reference for organic contaminants] by the department, analysis shall be conducted in accordance with the organic contaminant analytical methods in paragraph 40 CFR 141.24(e) of the July 1, 2003 Code of Federal Regulations, which is incorporated by reference in this rule.

[Contaminant]	Method
2,3,7,8-TCDD (Dioxin)	1613
2,4-D	515.1
	515.2
	555
2,4,5-TP (Silvex)	515.1
	515.2
	555
3-Hydrodroxycarbofuran	531.1
	6610

[Contaminant]	Method
Alachlor	505
	507
	525.2
	508.1
Aldicarb	531.1
	6610
Aldicarb sulfoxide	531.1
	6610
Aldicarb sulfone	531.1
	6610
Aldrin	505
	508
	525.2
	508.1
Atrazine	505
	507
	525.2
	508.1
Benzo(a)pyrene	525.2
	550
	550.1
Butachlor	507
	525.2
Carbaryl	531.1
	6610
Carbofuran	531.1
	6610
Chlordane	505
	508
	525.2
	508.1
Dalapon	515.1
	552.1
Di(2-ethylhexyl)adipate	506
	525.2
Di(2-ethylhexyl)phthalate	506
	525.2
Dibromochloropropane (DBCP)	504.1
	551
Dicamba	515.1
	515.2
	555
Dieldrin	505
	508
	508.1
	525.2
Dinoseb	515.1
	515.2
	555
Diquat	549.1
Endothall	548.1
Endrin	505
	508
	525.2
	508.1
Ethylene dibromide (EDB)	504.1
	551
Glyphosate	547
	6651
Haloacetic Acids (HAA5)	552.1
	552.2
	6251 B

<i>[Contaminant</i>	<i>Method</i>	<i>Footnotes</i>
Heptachlor	505	1) A nitrogen-phosphorous detector should be substituted for the electron capture detector in Method 505 (or another approved method should be used) to determine alachlor, atrazine and simazine, if lower detection limits are required.
	508	
	525.2	
	508.1	
Heptachlor epoxide	505	2) PCBs are qualitatively identified as Aroclors and measured for compliance purposes as decachlorobiphenyl. Each system which monitors for PCBs shall analyze each sample using either Method 505 or Method 508.
	508	
	525.2	
	508.1	
Hexachlorobenzene	505	3) Analyses of total trihalomethanes shall be conducted in accordance with these methods and "Technical Notes on Drinking Water Methods," EPA-600/R94-173, October 1994, which is available at NTIS, PB95-104766.
	508	
	525.2	
	508.1	
Hexachlorocyclopentadiene	505	4) In addition to Methods 502.2 and 524.2, analysis for bromodichloromethane, bromoform, chlorodibromomethane, chloroform, carbon tetrachloride, tetrachlorethylene, 1,1,1-trichloroethane, and trichloroethylene may also be conducted by EPA Method 551. Analysis for 1,2,3-trichloropropane may be conducted by Methods 502.1, 524.2 and 504.1.
	525.2	
	508	
	508.1	
Lindane	505	5) For method 502.2, if TTHMs are the only analytes being measured, then a photoionization detector is not required.
	508	
	525.2	
	508.1	
Methomyl	531.1	References for analytical methods incorporated by reference in 10 CSR 60-5.010(2): Methods 505, 507, 508, 508A, 515.1 and 531.1 are in "Methods for the Determination of Organic Compounds in Drinking Water," EPA-600/4-88-039, December 1988, revised July 1991. Methods 506, 547, 550, 550.1 and 551 are in "Methods for the Determination of Organic Compounds in Drinking Water—Supplement I," EPA-600-4-90-020, July 1990. Methods 515.2, 548.1, 549.1, 552.1 and 555 are in "Methods for the Determination of Organic Compounds in Drinking Water—Supplement II," EPA-600/R-92-129, August 1992. EPA Method 502.2, 524.2, 551.1, and 552.2 are in "Methods for the Determination of Organic Compounds in Drinking Water—Supplement III," U.S. EPA, August 1995, EPA/600/R-95/131. Method 1613 is titled "Tetra-through Octa-Chlorinated Dioxins and Furans by Isotope-Dilution HRGC/HRMS," EPA-821-B-94-005, October 1994. These documents are available from National Technical Information Service (NTIS) NTIS PB91-231480, PB91-146027, PB92-207703, PB95-261616, and PB95-104774, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161. The toll free number is (800) 553-6847. Method 6651 shall be followed in accordance with the 18th edition of "Standard Methods for the Examination of Water and Wastewater," 1992. Available from the American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005. Method 6610 shall be followed in accordance with the "Supplement to the 18th Edition of Standard Methods for the Examination of Water and Wastewater," 1994. Available from the American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005. Method 6251 B shall be followed in accordance with the 19th edition of "Standard Methods for the Examination of Water and Wastewater," 1995. Available from the American Public Health Association, 1015 Fifteenth Street, NW, Washington, DC 20005. EPA Methods 504.1, 508.1 and 525.2 are available from U.S. EPA EMSL, Cincinnati, OH 45268. The phone number is (513) 569-7586. Other analytical test procedures are contained in Technical Notes on Drinking Water Methods, EPA-600/R-94-173, October 1994, NTIS PB95-104766.
	6610	
	505	
	525.2	
Methoxychlor	508.1	
	507	
	508.1	
	525.2	
Metolachlor	507	
	508.1	
	525.2	
	507	
Metribuzin	508.1	
	525.2	
	531.1	
	6610	
Oxamyl (vydate)	515.1	
	515.2	
	525.2	
	555	
Pentachlorophenol	515.1	
	515.2	
	525.2	
	555	
Picloram	515.1	
	515.2	
	555	
	505	
Polychlorinated biphenyls	(as Aroclors)	
	508	
	(as Aroclors)	
	508A (as decachlorobiphenyl)	
Propachlor	508	
	508.1	
	525.2	
	505	
Simazine	507	
	508.1	
	525.2	
	505	
Toxaphene	508	
	525.2	
	502.2	
	524.2	
Total Trihalomethanes (TTHM)	551.1	
	502.2	
	524.2	
	502.1	
Volatile Organic Chemicals (regulated and unregulated)	502.2	502.1 Volatile halogenated organic chemicals in water by purge and trap gas chromatography
	524.2	

- 502.2 Volatile organic compounds in water by purge and trap capillary column gas chromatography with photoionization and electrolytic conductivity detectors in series
- 503.1 Volatile aromatic and unsaturated organic compounds in water by purge and trap gas chromatography
- 504.1 1,2-Dibromoethane (EDB), 1,2-Dibromo-3-chloropropane (DBCP), and 1,2,3-Trichloropropane (123TCP) in Water by Microextraction and Gas Chromatography
- 505 Analysis of organohalide pesticides and commercial polychlorinated biphenyl products (Aroclors) in water by microextraction and gas chromatography
- 506 Determination of phthalate and adipate esters in drinking water by liquid-liquid extraction or liquid-solid extraction and gas chromatography with photoionization detection
- 507 Determination of nitrogen- and phosphorus-containing pesticides in groundwater by gas chromatography with a nitrogen-phosphorus detector
- 508 Determination of chlorinated pesticides in water by gas chromatography with an electron capture detector
- 508.1 Determination of chlorinated pesticides, herbicides, and organohalides by liquid-solid extraction and electron capture gas chromatography
- 508A Screening for polychlorinated biphenyls by perchlorination and gas chromatography (for quantification if detected with Method 505 or 508)
- 515.1 Determination of chlorinated acids in water by gas chromatography with an electron capture detector, revision 5.0, May 1991
- 524.1 Measurement of purgeable organic compounds in water by purged column gas chromatography/mass spectrophotometry
- 524.2 Volatile organic chemicals in water by purge and trap capillary column gas chromatography/mass spectrophotometry
- 525.2 Determination of organic compounds in drinking water by liquid-solid extraction in capillary column gas chromatography/mass spectrometry
- 531.1 Measurement of N-methyl carbamoyloximes and N-methyl carbamates in water by direct aqueous injection HPLC with post-column derivatization
- 547 Analysis of glyphosate in drinking water by direct-aqueous-injection HPLC, with post-column derivatization
- 548 Determination of endothall in aqueous samples
- 549.1 Determination of diquat and paraquat in drinking water by liquid-solid extraction and high performance liquid chromatography with ultraviolet detection
- 550 Determination of polycyclic aromatic hydrocarbons in drinking water by liquid-liquid extraction and HPLC with coupled ultraviolet and fluorescence detection
- 550.1 Determination of polycyclic aromatic hydrocarbons in drinking water by liquid-solid extraction and HPLC with coupled ultraviolet and fluorescence detection
- 551 Determination of chlorination disinfection byproducts and chlorinated solvents in drinking water by liquid-liquid extraction and gas chromatography with electron-capture detection
- 551.1 Determination of chlorination disinfection byproducts, chlorinated solvents, and halogenated pesticides/herbicides in drinking water by liquid-liquid extraction and gas chromatography with electron capture detection, Revision 1.0
- 552.1 Determination of haloacetic acids and dalapon in drinking water by ion exchange liquid-liquid extraction and gas chromatography with an electron capture detector, Revision 1.0
- 552.2 Determination of haloacetic acids and dalapon in drinking water by liquid-liquid extraction, derivatization and gas chromatography with electron capture detection, Revision 1.0
- 555 Determination of chlorinated acids in water by high performance liquid chromatography with a photodiode array ultraviolet detector
- 1613 "Tetra-through Octa-Chlorinated Dioxins and Furans by Isotope Dilution." This method is available from U.S. EPA-OST, Sample Control Center, P.O. Box 1407, Alexandria, VA 22313.
- 6251B Micro Liquid-Liquid Extration Gas Chromatographic Method
- 6610 Carbamate pesticides
- 6651 Glyphosate herbicide]
- (3) Microbiological Contaminants **and Turbidity**. Unless substitute methods are approved[, this section (3) lists acceptable analysis procedures for microbiological contaminants.] by the department, analysis shall be conducted in accordance with the microbiological contaminant and turbidity analytical methods in 40 CFR 141.21(f) and 40 CFR 141.74(a)(1), of the July 1, 2003 Code of Federal Regulations, which are incorporated by reference.

<i>[Contaminant]</i>	<i>Approved Manual or Procedure</i>
(A) <i>Escherichia coli</i> . (<i>E. coli</i>)	<p>Public water systems must conduct analysis of <i>Escherichia coli</i> in accordance with one (1) of the following analytical methods:</p> <ol style="list-style-type: none"> 1. EC medium supplemented with fifty (50) μ/ml of 4-methylumbelliferyl-beta-D-glucuronide (MUG) (final concentration). EC medium is described in <i>Standard Methods for the Examination of Water and Wastewater</i>, 1992, American Public Health Association, 18th edition, Method 9221E, p. 9–52, paragraph 1a. MUG may be added to EC medium before autoclaving. EC medium supplemented with fifty (50) μ/ml of MUG is commercially available. At least ten (10) ml of EC medium supplemented with MUG must be used. The inner inverted fermentation tube may be omitted. The procedure for transferring a total coliform-positive culture to EC medium supplemented with MUG shall be as specified in 10 CSR 60-5.010(1)(B)2. for transferring a total coliform-positive culture to EC medium. Observe fluorescence with an ultraviolet light (366 nm) in the dark after incubating tube at 44.5 ± 0.2 degrees Celsius for 24 ± 2 hours; 2. Nutrient agar supplemented with 100 μ/ml MUG (final concentration). Nutrient agar is described in <i>Standard Methods for the Examination of Water and Wastewater</i>, 1992, American Public Health Association, 18th edition, p. 9–47 to 9–48. This test is used to determine if a total coliform-positive sample, as determined by the membrane filter technique (MFT) or any other method in which a membrane filter is used, contains <i>E. coli</i>. Transfer the membrane filter containing a total coliform colony(ies) to nutrient agar supplemented with 100 μ/ml (final concentration) MUG. After incubating the agar plate at thirty-five degrees Celsius (35°C) for four (4) hours, observe the colony(ies) under ultraviolet light (366 nm) in the dark for fluorescence. If fluorescence is visible, <i>E. coli</i> are present; 3. Minimal Medium ONPG-MUG (MMO-MUG) Test, as set forth in the article “National Field Evaluation of a Defined Substrate Method for the Simultaneous Detection of Total Coliforms and <i>Escherichia coli</i> from Drinking Water: Comparison with Presence-Absence Techniques” (Edberg et al.), <i>Applied and Environmental Microbiology</i>, Volume 55, pp. 1003–1008, April 1989. (Note: The Autoanalysis Colilert System is an MMO-MUG test.) If the MMO-MUG test is total coliform-positive after a 24-hour incubation, test the medium for fluorescence with a 366-nm ultraviolet light (preferably with a 6-watt lamp) in the dark. If fluorescence is observed, the sample is <i>E. coli</i>-positive. If fluorescence is questionable (cannot be definitively read) after 24 hours incubation, incubate the culture for an additional four (4) hours (but not to exceed 28 hours total). And again test the medium for fluorescence. The MMO-MUG Test with hepes buffer in lieu of phosphate buffer is the only approved formulation for the detection of <i>E. coli</i>; 4. As an option to paragraph (3)(A)3. of this rule, a system with a total coliform-positive, MUG-negative, MMO-MUG test may further analyze the culture for the presence of <i>E. coli</i> by transferring a 0.1 ml 28-hour MMO-MUG culture to EC Medium + MUG. Observation of the results are described in 40 CFR 141.21(f)(6)(i); or 5. The Colisure test. A description of the Colisure test may be obtained from the Millipore Corporation, Technical Services Department, 80 Ashby Road, Bedford, MA 01730.
(B) Fecal Coliform.	<ol style="list-style-type: none"> 1. Public water systems must conduct fecal coliform analysis in accordance with the following procedure: When the multiple-tube fermentation (MTF) technique or presence-absence (P-A) coliform test is used to test for total coliform, shake the lactose-positive presumptive tube or P-A vigorously and transfer the growth with a sterile three millimeter (3 mm) loop or sterile applicator stick into brilliant green lactose bile broth and EC medium to determine the presence of total and fecal coliforms, respectively. For EPA-approved analytical methods which use a membrane filter, transfer the total coliform-positive culture by one (1) of the following methods: Remove the membrane containing the total coliform colonies from the substrate with a sterile forceps and carefully curl and insert the membrane into a tube of EC medium (the laboratory may first remove a small portion of selected colonies for verification), swab the entire membrane filter surface with a sterile cotton swab and transfer the inoculum to EC medium (do not leave the cotton swab in the EC medium), or inoculate individual total coliform-positive colonies into EC medium. Gently shake the inoculated tubes of EC medium to insure adequate mixing and incubate in a waterbath at 44.5 ± 0.2 degrees Celsius for 24 ± 2 hours. Gas production of any amount in the inner fermentation tube of the EC medium indicates a positive fecal coliform test. The preparation of EC medium is described in <i>Standard Methods for the Examination of Water and Wastewater</i>, 1992, American Public Health Association, 18th edition, Method 9221E, p. 9–2, paragraph 1a. Public water systems need only determine the presence or absence of fecal coliforms; a determination of fecal coliform density is not required. Only this method for fecal coliform is allowed for compliance with 10 CSR 60-4.020(5); or 2. <i>Standard Methods for the Examination of Water and Wastewater</i>, 1992, American Public Health Association, 18th edition.]

<i>[Contaminant]</i>	<i>Approved Manual or Procedure</i>
	<p>A. Fecal coliform most probable number (MPN) procedures, method 9221E, pages 9-52 to 9-53 (Note: A-1 Broth may be held up to three (3) months in a tightly closed screw-cap tube at four degrees Celsius (4°C));</p> <p>B. Fecal coliform membrane filter procedure, method 9222D, pages 9-60 to 9-61. Standard Methods for the Examination of Water and Wastewater, 1992, American Public Health Association, 18th edition, pour plate method, method 9215B. The time from sample collection to initiation of analysis may not exceed twenty-four (24) hours.</p> <p>1. The standard sample volume required for total coliform analysis, regardless of analytical method used, is one hundred milliliters (100 ml). The time from sample collection to initiation of analysis may not exceed thirty (30) hours.</p> <p>2. Standard Methods for the Examination of Water and Wastewater, 1992, American Public Health Association, 18th edition—</p> <p>A. Fermentation technique, method 9221A, B.</p> <p>(I) Lactose broth, as commercially available, may be used in lieu of lauryl tryptose broth, if the system conducts at least twenty-five (25) parallel tests between this medium and lauryl tryptose broth using the water normally tested, and this comparison demonstrates that the false-positive rate for total coliforms, using lactose broth, is less than ten percent (10%).</p> <p>(II) If inverted tubes are used to detect gas production, the media should cover these tubes at least one-half (1/2) to two-thirds (2/3) after the sample is added.</p> <p>(III) No requirement exists to run the completed phase on ten percent (10%) of all total coliform-positive confirmed tubes.</p> <p>B. Membrane filter (MF) technique, method 9222A, B, C.</p> <p>C. Presence-absence (P-A) coliform test, method 9221D.</p> <p>(I) Six-times formulation strength may be used if the medium is filter-sterilized rather than autoclaved.</p> <p>(II) No requirement exists to run the completed phase on ten percent (10%) of all total coliform-positive confirmed tubes.</p> <p>D. ONPG-MUG Test (also known as the Autoanalysis Colilert System, method 9223).</p> <p>E. Colisure test. The Colisure test must be incubated for twenty-eight (28) hours before examining the results. If an examination of the results at twenty-eight (28) hours is not convenient, then results may be examined at any time between twenty-eight (28) and forty-eight (48) hours.</p> <p>A description of the Colisure test may be obtained from the Millipore Corporation, Technical Service Department, 80 Ashby Road, Bedford, MA 01730.]</p>
(C) Heterotrophic Bacteria.	
(D) Total Coliform.	

(4) Radiological Contaminants. Unless substitute methods are approved by the department, analysis shall be conducted in accordance with the radiological contaminant analytical methods in paragraphs 40 CFR 141.25(a) and (b), of the July 1, 2003 *Code of Federal Regulations*, which are incorporated by reference.

(5) Disinfection By-Products, Residual Disinfectant Concentrations, and Disinfection By-Product Precursors. Unless substitute methods are approved by the department, analysis shall be conducted in accordance with the disinfection by-product, residual disinfectant concentration, and disinfection by-product precursor analytical methods in 40 CFR 141.74(a)(2) and 40 CFR 141.131 of the July 1, 2003 *Code of Federal Regulations*, which are incorporated by reference.

[[4]] (6) Sample collection for the contaminants *[listed]* referenced in this rule must be conducted using the sample preservation, container and maximum holding time procedures specified in the following *[table. All other samples for contaminants in 10 CSR 60-5.010 shall be collected]* procedures, which are incorporated by reference, or in accordance with procedures contained in the appropriate analytical method.

(A) Inorganic contaminant sample collection procedures in 40 CFR 141.23(k)(2) of the July 1, 2003 *Code of Federal Regulations* are incorporated by reference.

(B) Total Trihalomethane sample collection procedures in 40 CFR 141.30(e) of the July 1, 2003 *Code of Federal Regulations* are incorporated by reference.

<i>[Contaminant</i>	<i>Preservative</i>	<i>Container</i>	<i>Holding Time</i>
Antimony	Concentrated HNO_3 to pH < 2	P or G	6 months
Asbestos	Cool to 4°C	P or G	
Barium	Concentrated HNO_3 to pH < 2	P or G	6 months
Beryllium	Concentrated HNO_3 to pH < 2	P or G	6 months
Cadmium	Concentrated HNO_3 to pH < 2	P or G	6 months
Chromium	Concentrated HNO_3 to pH < 2	P or G	6 months
Copper			
Preserved	Concentrated HNO_3 to pH < 2	P or G	6 months
Unpreserved	NONE	P or G	14 days
Cyanide	Cool to 4°C, NaOH to pH > 12	P or G	14 days
Fluoride	NONE	P or G	1 month
Lead			
Preserved	Concentrated HNO_3 to pH < 2	P or G	6 months
Unpreserved	NONE	P or G	14 days
Mercury	Concentrated HNO_3 to pH < 2	P or G	28 days
Nickel	Concentrated HNO_3 to pH < 2	P or G	6 months
Nitrate			
Chlorinated	Cool to 4°C	P or G	28 days
Nonchlorinated	Concentrated H_2SO_4 to pH < 2	P or G	14 days
Nitrite	Cool to 4°C	P or G	48 hours
Selenium	Concentrated HNO_3 to pH < 2	P or G	6 months
Thallium	Concentrated HNO_3 to pH < 2	P or G	6 months]

(I(A) If HNO_3 cannot be used because of shipping restrictions, sample may be initially preserved by icing and immediately shipping to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated HNO_3 to pH < 2 and held for sixteen (16) hours before analysis. At time of analysis, sample container should be thoroughly rinsed with 1:1 HNO_3 ; washings should be added to the sample.

(B) P = Plastic, hard or soft.

(C) G = Glass, hard or soft.

(D) In all cases samples should be analyzed as soon after collection as possible.

(E) For cyanide see method(s) for the information for preservation.

(F) The system shall take each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(G) If a system draws water from more than one (1) source and the sources are combined before distribution, the system must sample at an entry point to the distribution system during periods of normal operating conditions (that is, when water is representative of all sources being used).]

[(5)](7) The department may reduce the total number of samples a system must analyze by allowing the use of compositing. [Composite samples from a maximum of five (5) sampling points are allowed provided that the detection limit of the method used for analysis is less than one-fifth (1/5) of the MCL. For a lower number of composited samples the allowable relationship between the detection limit and MCL will change proportionally. Compositing of samples must be done in the laboratory and the composite sample must be analyzed within fourteen (14) days of collection. If the population served by the system is greater than thirty-three hundred (>3,300) persons, then compositing is permitted only at sampling points within a single system. In systems serving less than or equal to thirty-three hundred ($\leq 3,300$) persons, the department may permit compositing among different systems provided the five (5)-sample limit is maintained.] Compositing shall be conducted according to the following procedures incorporated by reference.

(A) [Compositing of samples may be allowed for inorganic chemicals (IOCs) listed in 10 CSR 60-4.030(1) and synthetic organic chemicals (SOCs) listed in 10 CSR 60-4.040 and volatile organic chemicals (VOCs) listed in 10 CSR 60-4.100(2) and unregulated organic and inorganic chemicals listed in 10 CSR 60-4.110(2).] Sample compositing procedures for inorganic contaminants in 40 CFR 141.23(a)(4) of the July 1, 2003 Code of Federal Regulations are incorporated by reference.

(B) [If the concentration in the composite sample is greater than or equal to 0.0005 mg/l for any organic contaminant listed in 10 CSR 60-4.100(2), then a follow-up sample must be taken within fourteen (14) days at each sampling point included in the composite. These samples must be analyzed for the contaminants which exceeded 0.0005 mg/l in the composite sample. Resampling is not required for unregulated organic and inorganic chemicals listed in 10 CSR 60-4.110(2).] Sample compositing procedures for volatile organic contaminants in 40 CFR 141.24(f)(14) are incorporated by reference.

(C) [If the concentration in the composite sample detects one (1) or more synthetic organic contaminants listed in subsection (6)(B) of this rule, then a follow-up sample must be taken within fourteen (14) days at each sampling point included in the composite. The follow-up sample must be analyzed for the contaminant(s) detected.] Sample compositing procedures for synthetic contaminants in 40 CFR 141.23(h)(10) of the July 1, 2003 Code of Federal Regulations are incorporated by reference.

(D) [If duplicates of the original sample from each sampling point used in the composite are available, the system may use these duplicates instead of resampling. The duplicate must be analyzed and the results reported to the department within fourteen (14) days of collection.] Sample compositing procedures for radiological contaminants in 40 CFR 141.26(a)(4) of the July 1, 2003 Code of Federal Regulations are incorporated by reference.

(E) [Compositing Samples Prior to Gas Chromatograph (GC) Analysis.

1. Add five milliliter (5 ml) or equal larger amounts of each sample (up to five (5) samples are allowed) to a twenty-five milliliter (25 ml) glass syringe. Special precautions must be made to maintain zero headspace in the syringe.

2. The samples must be cooled at four degrees Centigrade (4°C) during this step to minimize volatilization losses.

3. Mix well and draw out a five milliliter (5 ml) aliquot for analysis.

4. Follow sample introduction, purging and desorption steps described in the method.

5. If less than five (5) samples are used for compositing, a proportionately small syringe may be used.] Sample compositing procedures for lead and copper in 40 CFR 141.23 (a)(1)(iv) are incorporated by reference.

[(F) Compositing Samples Prior to GC/Mass Spectrophotometer (MS) Analysis.

1. Inject five milliliter (5 ml) or equal larger amounts of each aqueous sample (up to five (5) samples are allowed) into a twenty-five milliliter (25 ml) purging device using the sample introduction technique described in the method.

2. The total volume of the sample in the purging device must be twenty-five milliliters (25 ml).

3. Purge and desorb as described in the method.

(G) For lead and copper monitoring, composite samples from a maximum of five (5) sampling points per composite sample are allowed with prior approval of the department. The reportable value, as required in 10 CSR 60-7.020, for each of the samples in the composite is the concentration detected multiplied by the number of samples composited. If the concentration in the composite sample is less than the detection limit, the reportable value for each of the samples in the composite is the detection limit multiplied by the number of samples composited. If the ninetyeth percentile concentration, calculated in accordance with 10 CSR 60-15.010(3)(C), exceeds the lead and copper action level established in 10 CSR 60-15.010(3)(A) and (B), each of the samples from which the composite was derived must be analyzed individually and reported as required in 10 CSR 60-7.020.]

[(6)] (8) Detection Limits.

[(A) Detection limits for inorganic chemical analytical methods are the following:

Detection Limits for Inorganic Contaminants

Contaminant	Method	Detection Limit (mg/l)
Antimony	Atomic Absorption—Furnace Technique	0.003
	Atomic Absorption—Platform	0.0008
	Inductively Coupled Plasma—Mass Spectrometry	0.0004
	Atomic Absorption—Gaseous Hydride	0.001
Asbestos	Transmission Electron Microscopy	0.01 million fibers per liter
Barium	Atomic Absorption—Furnace Technique	0.002
	Atomic Absorption—Direct Aspiration	0.1
	Inductively Coupled Plasma	0.002
	Inductively Coupled Plasma (EPA method 200.7)	0.001

Contaminant	Method	Detection Limit (mg/l)
Beryllium	Atomic Absorption—Furnace Technique	0.0002
	Atomic Absorption—Platform	0.00002
	Inductively Coupled Plasma	0.0003
Cadmium	Inductively Coupled Plasma—Mass Spectrometry	0.0003
	Atomic Absorption—Furnace Technique	0.0001
	Inductively Coupled Plasma	0.001
Chromium	Atomic Absorption—Furnace Technique	0.001
	Inductively Coupled Plasma	0.007
	Inductively Coupled Plasma (EPA Method 200.7A)	0.001
Copper	All Methods Except Atomic Absorption	0.0002
	Atomic Absorption With Direct Aspiration	0.0002
Cyanide	Distillation, Spectrophotometric (screen)	0.02
	Distillation, Automated Spectrophotometric (screen)	0.005
	Distillation, Selective Electrode (screen)	0.02
	Distillation, Amenable, Spectrophotometric (free)	0.02
Lead	All Methods	0.001
Mercury	Manual Cold Vapor Technique	0.0002
	Automated Cold Vapor Technique	0.0002
Nickel	Atomic Absorption—Furnace Technique	0.001
	Atomic Absorption—Platform	0.0006
	Inductively Coupled Plasma	0.005
Nitrate	Inductively Coupled Plasma—Mass Spectrometry	0.0005
	Manual Cadmium Reduction	0.01
	Automated Hydrazine Reduction	0.01
	Automated Cadmium Reduction	0.05

<i>Contaminant</i>	<i>Detection Limit</i> (mg/l)	<i>Simazine</i> <i>Toxaphene</i>	<i>0.00007</i> <i>0.001</i>
<i>Nitrite</i>	<i>Ion Selective Electrode</i> <i>Ion Chromatography</i> <i>Spectrophotometric</i> <i>Automated Cadmium</i> <i>Reduction</i> <i>Manual Cadmium</i> <i>Reduction</i> <i>Ion Chromatography</i>	<i>(C) The detection limit for VOCs is 0.0005 mg/l.</i> <i>(D) Detection limits for radiological contaminants are the following:</i>	
<i>Selenium</i>	<i>Atomic Absorption—</i> <i>Furnace Technique</i> <i>Atomic Absorption—</i> <i>Gaseous Hydride</i>	<i>Radionuclide</i> <i>Detection Limit</i> <i>Radium 226, 228</i> <i>Gross Alpha</i> <i>Tritium</i> <i>Strontium-89</i> <i>Strontium-90</i> <i>Iodine-131</i> <i>Cesium-134</i> <i>Gross Beta</i> <i>Other radionuclides</i>	<i>1 pCi/l</i> <i>3 pCi/l</i> <i>1000 pCi/l</i> <i>10 pCi/l</i> <i>2 pCi/l</i> <i>1 pCi/l</i> <i>10 pCi/l</i> <i>4 pCi/l</i> <i>1/10 of the</i> <i>acceptable</i> <i>limit]</i>
<i>Thallium</i>	<i>Atomic Absorption—</i> <i>Furnace Technique</i> <i>Atomic Absorption—</i> <i>Platform</i> <i>Inductively Coupled</i> <i>Plasma—Mass</i> <i>Spectrometry</i>		

(B) Detection limits for SOCs are the following:

<i>Contaminant</i>	<i>Detection Limit</i> (mg/l)
<i>2,3,7,8-TCDD (Dioxin)</i>	<i>0.000000005</i>
<i>2,4-D</i>	<i>0.0001</i>
<i>2,4,5-TP (Silvex)</i>	<i>0.0002</i>
<i>Alachlor</i>	<i>0.0002</i>
<i>Aldicarb</i>	<i>0.0005</i>
<i>Aldicarb sulfoxide</i>	<i>0.0005</i>
<i>Aldicarb sulfone</i>	<i>0.0008</i>
<i>Atrazine</i>	<i>0.0001</i>
<i>Benzo(a)pyrene</i>	<i>0.00002</i>
<i>Carbofuran</i>	<i>0.0009</i>
<i>Chlordane</i>	<i>0.0002</i>
<i>Dalapon</i>	<i>0.001</i>
<i>Dibromochloropropane</i> <i>(DBCP)</i>	<i>0.00002</i>
<i>Di(2-ethylhexyl)adipate</i>	<i>0.0006</i>
<i>Di(2-ethylhexyl)phthalate</i>	<i>0.0006</i>
<i>Dinoseb</i>	<i>0.0002</i>
<i>Diquat</i>	<i>0.0004</i>
<i>Endothall</i>	<i>0.009</i>
<i>Endrin</i>	<i>0.00001</i>
<i>Ethylene dibromide (EDB)</i>	<i>0.00001</i>
<i>Glyphosate</i>	<i>0.006</i>
<i>Heptachlor</i>	<i>0.00004</i>
<i>Heptachlor epoxide</i>	<i>0.00002</i>
<i>Hexachlorobenzene</i>	<i>0.0001</i>
<i>Hexachlorocyclopentadiene</i>	<i>0.0001</i>
<i>Lindane</i>	<i>0.00002</i>
<i>Methoxychlor</i>	<i>0.0001</i>
<i>Oxamyl (Vydate)</i>	<i>0.002</i>
<i>Pentachlorophenol</i>	<i>0.00004</i>
<i>Picloram</i>	<i>0.0001</i>
<i>Polychlorinated biphenyls (PCBs)</i> <i>(as decachlorobiphenyl)</i>	<i>0.0001</i>
<i>Aroclor 1016</i>	<i>0.00008</i>
<i>Aroclor 1221</i>	<i>0.02</i>
<i>Aroclor 1232</i>	<i>0.0005</i>
<i>Aroclor 1242</i>	<i>0.0003</i>
<i>Aroclor 1248</i>	<i>0.0001</i>
<i>Aroclor 1254</i>	<i>0.0001</i>
<i>Aroclor 1260</i>	<i>0.0002</i>

(A) Detection limits for inorganic contaminants in 40 CFR 141.23(a)(4)(i) of the July 1, 2003 Code of Federal Regulations are incorporated by reference.

(B) Practical Quantitation Levels (PQL) for lead and copper in 40 CFR 141.89(a)(1)(ii)(A) and (B) of the July 1, 2003 Code of Federal Regulations are incorporated by reference.

(C) Detection limit for volatile organic contaminants in 40 CFR 141.24(f)(7) of the July 1, 2003 Code of Federal Regulations are incorporated by reference.

(D) Detection limits for synthetic organic contaminants in 40 CFR 141.24(h)(13)(ii) and 141.24(h)(18) of the July 1, 2003 Code of Federal Regulations are incorporated by reference.

(E) Detection limits for radiological contaminants in 40 CFR 141.25(c) of the July 1, 2003 Code of Federal Regulations are incorporated by reference.

AUTHORITY: sections 640.100, RSMo Supp. 2003 and 640.125.1, RSMo 2000. Original rule filed May 4, 1979, effective Sept. 14, 1979. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 17, 2004.

PUBLIC COST: This proposed amendment is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: An information meeting and public hearing will be held at 10 a.m. May 11, 2004 at the DNR Conference Center, 1738 East Elm Street, Jefferson City, Missouri. Anyone may comment in support of or opposition to this proposed amendment during the public hearing.

Also, written comments will be accepted through close of business on June 11, 2004. Written comments may be mailed or faxed to: Linda McCarty, Public Drinking Water Program, PO Box 176, Jefferson City, MO 65102. The fax number is (573) 751-3110.

In preparing your comments, please include the regulatory citation and the Missouri Register page number. Please explain why you agree or disagree with the proposed change, and include alternative options or language.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents,
Investment Advisers, and Investment
Adviser Representatives**

PROPOSED RULE

15 CSR 30-51.175 Exclusion From Definition of Broker-Dealer

PURPOSE: The commissioner is authorized by the Missouri Securities Act of 2003 to create exceptions from the definition of broker-dealer. This rule excludes from the definition certain credit unions engaged in limited broker-dealer activities under a networking arrangement with a registered broker-dealer.

(1) Networking Arrangements Between Broker-Dealers and Credit Unions. A credit union organized or chartered under the laws of the United States or under the laws of the state of Missouri, or that is organized or chartered under the laws of a state which has reciprocity with Missouri, is excluded from the definition of broker-dealer under section 409.1-102(4)(E), RSMo if such credit union's broker-dealer activities are limited to those authorized in a contractual or other written arrangement with a broker-dealer registered under the Missouri Securities Act of 2003 whereupon the broker-dealer offers brokerage services on or off the premises of the credit union and—

(A) Such broker-dealer is clearly identified as the person performing the brokerage services;

(B) The broker-dealer performs brokerage services in an area that is clearly marked and, to the extent practicable, physically separate from the routine deposit-taking activities of the credit union;

(C) Any materials used by the credit union to advertise or promote generally the availability of brokerage services under the arrangement clearly indicate that the brokerage services are being provided by the broker-dealer and not by the credit union;

(D) Any materials used by the credit union to advertise or promote generally the availability of brokerage services under the arrangement are in compliance with Missouri and federal securities laws before distribution;

(E) Employees of the credit union (other than agents of a broker-dealer who are registered under the Missouri Securities Act of 2003 and qualified pursuant to the rules of a self-regulatory organization) perform only clerical or ministerial functions in connection with brokerage transactions including scheduling appointments with the agents of a broker-dealer, except that employees of a credit union may forward customer funds or securities and may describe in general terms the types of investment vehicles available from the credit union and the broker-dealer under the arrangement;

(F) Employees of the credit union do not receive incentive compensation for any brokerage transaction unless such employees are agents of a broker-dealer, are registered under the Missouri Securities Act of 2003 and are qualified pursuant to the rules of a self-regulatory organization, except that the employees of the credit union may receive compensation for the referral of any customer if the compensation is a nominal one (1)-time cash fee of a fixed dollar amount and the payment of the fee is not contingent on whether the referral results in a transaction;

(G) Such services are provided by the broker-dealer on a basis in which all customers that receive any services are fully disclosed to the broker-dealer;

(H) The credit union does not carry a securities account of the customer; and

(I) The credit union or broker-dealer informs each customer that the brokerage services are provided by the broker-dealer and not by the credit union and that the securities are not deposits or other obligations of the credit union, are not guaranteed by the credit union, and are not insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

AUTHORITY: sections 409.1-102(4) and 409.6-605, RSMo Supp. 2003. Original rule filed Feb. 13, 2004.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions one thousand eight hundred dollars (\$1,800) in the first year and and nine hundred dollars (\$900) annually for the life of the rule.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Secretary of State's Office, Doug Ommen, Commissioner of Securities, 600 West Main Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Fiscal Note

Public Cost

I. Rule Number

Rule Number and Name:	15 CSR 30-51.175 Exclusion From Definition of Broker-Dealer
Type of Rulemaking:	Proposed Rule

II. Summary of Fiscal Impact

Affected Agency or Political Subdivision	Missouri Securities Division
Estimated Cost of Compliance in the Aggregate:	\$1800.00 in the first year; \$900.00 per annum each year after

III. Worksheet

It is estimated that nine (9) credit unions currently operate under networking arrangements as described in 15 CSR 30-51.175. If this rule was not put into practice, each credit union that operates under these networking arrangements with broker-dealers, as described in this rule, could be required to register with the Missouri Securities Division as a broker-dealer and pay a \$200.00 initial registration fee, and providing no lapse in registration occurs, a \$100.00 renewal fee each year after that.

Nine credit unions @ \$200.00/each registration fee = \$1800.00

Nine credit unions @ \$100.00/each renewal fee = \$900.00

IV. Assumptions

Information with respect to quantity of credit unions operating under these networking arrangements, as described in the proposed rule, was obtained from the Missouri Credit Union Association (MCUA) and is believed to be current as of February 11, 2004.

Information with respect to the cost to register and renew broker-dealers was obtained from 409.4-410, RSMo Cumulative Supp. 2003. The cumulative per annum fee to renew broker-dealers is based upon the assumption that the fee to renew individual broker-dealers remains \$100.00.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 10—Market Development
Chapter 2—Subscription Fees**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Agriculture under section 261.020, RSMo 2000, the director amends a rule as follows:

2 CSR 10-2.010 Subscription Fees for the "Weekly Market News Summary" **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2087-2088). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 3—Students**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.040, 329.050, and 329.210, RSMo Supp. 2003 and

329.070 and 329.230, RSMo 2000, the board amends a rule as follows:

4 CSR 90-3.010 Students **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2133). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 5—Apprentices**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.210, RSMo Supp. 2003 and 329.230, RSMo 2000, the board amends a rule as follows:

4 CSR 90-5.010 Apprentices **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2133). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 7—Reciprocity**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.130 and 329.230, RSMo 2000 and 329.210, RSMo Supp. 2003, the board amends a rule as follows:

4 CSR 90-7.010 Reciprocity **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2133-2134). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 8—Training Hours**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.040 and 329.210, RSMo Supp. 2003 and 329.230, RSMo 2000, the board amends a rule as follows:

4 CSR 90-8.010 Hours is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2134). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 10—Violations of Cosmetology Laws and
Regulations**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under section 329.230, RSMo 2000, the board amends a rule as follows:

4 CSR 90-10.010 Violations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2134). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 11—Sanitation**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.035, 329.140 and 329.230, RSMo 2000 and 329.210, RSMo Supp. 2003, the board amends a rule as follows:

4 CSR 90-11.010 Sanitation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2134–2136). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 12—Instructor Trainees**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.210, RSMo Supp. 2003 and 329.230, RSMo 2000, the board amends a rule as follows:

4 CSR 90-12.020 Registration of Instructor Trainees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2137). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 12—Instructor Trainees**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.210, RSMo Supp. 2003 and 329.230, RSMo 2000, the board amends a rule as follows:

4 CSR 90-12.070 Reinstatement of Expired Instructor License is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2137). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 13—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Cosmetology under sections 329.110, RSMo 2000 and 329.210, RSMo Supp. 2003, the board amends a rule as follows:

4 CSR 90-13.010 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2137–2138). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 250—Missouri Real Estate Commission
Chapter 8—Business Conduct and Practice**

ORDER OF RULEMAKING

By the authority vested in the Missouri Real Estate Commission under sections 339.120, 339.730, 339.740, 339.750, 339.755, 339.780 and 339.820, RSMo 2000, the board amends a rule as follows:

4 CSR 250-8.090 Brokerage Service Agreements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2150-2152). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**Division 250—Missouri Real Estate Commission
Chapter 8—Business Conduct and Practice****ORDER OF RULEMAKING**

By the authority vested in the Missouri Real Estate Commission under sections 339.120 and 339.780, RSMo 2000 and 339.720, RSMo Supp. 2003, the board amends a rule as follows:

4 CSR 250-8.096 Brokerage Relationship Confirmation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2152). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**Division 250—Missouri Real Estate Commission
Chapter 8—Business Conduct and Practice****ORDER OF RULEMAKING**

By the authority vested in the Missouri Real Estate Commission under sections 339.120, RSMo 2000 and 339.770, RSMo Supp. 2003, the board amends a rule as follows:

4 CSR 250-8.097 Broker Disclosure Form is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2152-2153). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification****ORDER OF RULEMAKING**

By the authority vested in the State Board of Education under sections 168.011, 168.405 and 168.409, RSMo 2000 and 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.200 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1771-1773). Those sections with changes are reprinted here. Changes have also been made to the incorporated by reference material. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received six (6) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section. RESPONSE AND EXPLANATION OF CHANGE: The board has carefully reviewed the comments and will make the corrections in the *Compendium of Missouri Certification Requirements* which is incorporated by reference.

COMMENT: The board received a comment opposing the issuance of a certificate of license to teach after completing a test.

RESPONSE: The board carefully reviewed the comment and decided to make no changes.

COMMENT: The Missouri School Boards Association comment seeks clarification of out-of-state applicant's procedures and law changes, National Board Certification procedures, and doctoral applicants.

RESPONSE AND EXPLANATION OF CHANGE: The board has carefully reviewed the comments and will make changes clarifying procedures for out-of-state applicants and National Board Certification in sections (5) and (7), add section (6) and renumber the existing sections. Sections (5)-(11) are reprinted here for clarity.

5 CSR 80-800.200 Application for Certificate of License to Teach

(5) An applicant for a Missouri certificate of license to teach who has successfully completed a state-approved teacher preparation program must comply with the following additional criteria:

(B) The applicant must possess a grade point average of 2.5 or higher on a 4.0 scale, both overall and in the major area of study;

(6) An applicant for a Missouri certificate of license to teach who possesses a valid certificate of license to teach from another state and who possesses good moral character may be granted a Missouri certificate of license to teach. The applicant shall submit the application on the forms provided by the board, signed and accompanied by two (2) full sets of fingerprints with the appropriate fee as set by the Missouri State Highway Patrol and/or the FBI and any other applicable forms and/or fees. All information should be received by the board within ninety (90) days of the date of the application.

(A) The applicant is responsible for the payment of any fees required by the Missouri State Highway Patrol and/or FBI.

(B) For the purposes of this rule, the fingerprint cards shall be completed by any law enforcement agency and sent directly to DESE.

(7) In addition to all the above criteria, an applicant for a Missouri certificate of license to teach who has successfully obtained certification by the National Board for Professional Teaching Standards (NBPTS) and possesses good moral character may be granted a Missouri certificate of license to teach in their area of NBPTS certification most closely aligned with the current areas of certification approved by the board. The certificate of license to teach will be an initial professional classification or a career continuous professional classification (CCPC), if the applicant possesses four (4) years teaching experience.

(8) An applicant for an initial Missouri certificate of license to teach who has earned a doctoral degree from an institution of higher education accredited by a regional accreditation agency including but not limited to North Central Association of Colleges and Schools must comply with the following additional criteria:

(A) The applicant must have completed and provide documentation of a valid doctoral degree being conferred;

(B) The applicant must achieve a score equal to or in excess of the qualifying score on the Praxis II assessment, Principals of Learning and Teaching for the specific grade levels as defined in the rules promulgated by the board. The official score report shall be submitted to DESE; and

(C) The applicant may only be granted an initial professional classification (IPC) level certificate of license to teach in their major area of study pursuant to the rules promulgated by the board. A CCPC level certificate of license to teach will not be issued.

(9) Additional certificates of license to teach may be granted as follows:

(A) The applicant may take the appropriate content knowledge or specialty area exit assessment(s) for certification and must achieve a score equal to or in excess of the qualifying score on the content knowledge or specialty area exit assessment(s) as defined in the rules promulgated by the board; or

(B) If the board has not designated a content knowledge or specialty area exit assessment(s) for a particular certification area or grade level or the applicant chooses not to take the appropriate content knowledge or specialty area exit assessment(s), the applicant must meet the certification standards for the area of certification as set forth in the compendium.

(10) Following review by DESE, the applicant shall be informed in writing of the decision regarding the application for a certificate of license to teach.

(11) The holder of a certificate of license to teach shall ensure that DESE has their current legal name and address.

(A) A holder of a certificate of license to teach whose name is changed by marriage or court order shall notify DESE within ninety (90) days of the name change and provide a copy of the appropriate documents verifying the name change.

(B) A holder of a certificate of license to teach whose address has changed shall inform DESE in writing of the change within ninety (90) days of the effective date of the change.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, 168.405 and 168.409, RSMo 2000 and 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.220 Application for Certificate of License to Teach for Administrators is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1774–1775). Changes have been made in the text of the *Compendium of Missouri Certification Requirements* which is incorporated by reference. No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received seven (7) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section. **RESPONSE AND EXPLANATION OF CHANGE:** The board has carefully reviewed the comments and will make the corrections in the *Compendium of Missouri Certification Requirements* which is incorporated by reference.

COMMENT: The board received three (3) letters of comment questioning the initial and renewal requirements for administrators and the length of the certificate.

RESPONSE: The board has carefully reviewed the comments and no changes are made in the text of the proposed amendment but would point out that the requirements are currently under review and a new proposed amendment will be forthcoming.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, RSMo 2000 and 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.230 Application for a Student Services Certificate of License to Teach is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1776–1778). Changes have been made in the text of the *Compendium of Missouri Certification Requirements* which is incorporated by reference. No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received ten (10) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section. **RESPONSE AND EXPLANATION OF CHANGE:** The board has carefully reviewed the comments and will make the corrections in the

Compendium of Missouri Certification Requirements which is incorporated by reference.

COMMENT: The board received one (1) comment supporting adding Speech-Language Pathologists to the student services classification.

COMMENT: The board received four (4) comments objecting to only one hundred fifty (150) hours of supervised practicum for the School Psychologist Examiner.

COMMENT: The board received one (1) comment questioning the length of the certificate and the initial and renewal requirements for the student services classification.

RESPONSE: The board has carefully reviewed the comments. No changes are made in the text of the proposed amendment but would point out that the requirements are currently under review and a new proposed amendment will be forthcoming.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 80—Teacher Quality and Urban Education Chapter 800—Educator Certification

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, RSMo 2000 and 161.092, 168.021, 168.071, 168.081 and 168.083, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.260 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1779–1781). Those sections with changes are reprinted here. Changes have also been made to the incorporated by reference material. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one hundred ninety (190) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section. RESPONSE AND EXPLANATION OF CHANGE: The board has carefully reviewed the comments and will make the corrections in the *Compendium of Missouri Certification Requirements* which is incorporated by reference.

COMMENT: The board received eight (8) comments in support of the temporary authorization certificate of license to teach (TAC) and a total of one hundred seventy-three (173) comments opposed to the TAC with two (2) of the comments specifically opposing the issuance of a TAC for Speech-Language Pathologists and one hundred thirty-nine (139) comments opposing the issuance of a TAC for the student services classification.

COMMENT: The board received one (1) comment supporting the issuance of the professional classification certificate of license to teach upon meeting certain requirements.

COMMENT: The board received two (2) comments questioning the timing of the Praxis tests and the TAC renewals.

COMMENT: The board received two (2) comments questioning the requirements of the degree in a closely related field or exceptional work experience and the special education area. One (1) comment

stated that it was too restrictive, while the other comment thought it was too permissive.

RESPONSE: The board carefully reviewed the comments and decided to make no changes in the amendment, but would point out that the Praxis tests need only be taken for the first renewal of the TAC and not subsequent renewals.

COMMENT: The board received three (3) comments requesting the inclusion of a program of study for applicants of a TAC.

RESPONSE AND EXPLANATION OF CHANGE: The board carefully reviewed the comments and decided to add language to section (7).

COMMENT: The board received one (1) comment suggesting adding specific competencies for severely developmentally disabled certificates of license to teach in the special education competencies and one (1) comment seeking the deletion of the exceptions for the TAC and asking for clarification of the grade ranges for the early childhood and early childhood special education certificates.

RESPONSE AND EXPLANATION OF CHANGE: The board carefully reviewed the comments and agrees to add the specific competencies in subsection (12)(E) and clarify the grade ranges in section (6). Sections (6), (7) and (12) are reprinted here for clarity.

5 CSR 80-800.260 Temporary Authorization Certificate of License to Teach

(6) The temporary authorization certificate will not include the areas of elementary education, grades 1–6; early childhood, birth-grade 3; early childhood special education, birth-grade 3; blind and partially sighted, birth-grade 12; and/or deaf and hearing impaired, birth-grade 12. Applicants for the areas of driver's education, English for speakers of other languages, gifted, and special reading must hold a certificate of license to teach or must seek a certificate of license to teach in a stand-alone area.

(7) The applicant for a temporary authorization certificate (excluding a temporary authorization administrator's certificate) must comply with the following criteria:

(A) Possession of a baccalaureate or higher degree from an accredited college or university in the subject area to be taught or a closely related field or demonstration of exceptional experience in the subject area to be taught:

1. Applicants for a special education temporary authorization certificate must possess a baccalaureate or higher degree from an accredited college or university;

(B) Possession of a grade point average of 2.5 or higher on a 4.0 scale, both overall and in the major area of study;

(C) Submission of a joint application verifying contracted employment with a Missouri public school district or accredited nonpublic school; and

(D) If this is the applicant's initial certificate of license to teach, documentation of a plan of study based upon required certification competencies incorporated in classes provided by an accredited college or university. If the applicant holds an initial Missouri professional or life certificate of license to teach and is seeking an additional certificate of license to teach, a transcript analysis from DESE based on the requirements set forth in the *Compendium of Missouri Certification Requirements* (compendium) which is incorporated by reference and made a part of this rule must be submitted.

(12) An individual may qualify for a professional classification certificate of license to teach (excluding an administrator's certificate) upon documentation of the following:

(A) The certificate holder has been teaching under a temporary authorization certificate of license to teach for a minimum of three (3) years;

(B) Achievement of the Missouri qualifying score on both the Praxis II assessments, one (1) content knowledge or specialty area assessment and two (2) principles of learning and teaching for the specific grade levels as promulgated by the rules adopted by the board;

(C) Documentation of successful Performance Based Teacher Evaluation by the sponsoring Missouri public school district or accredited nonpublic school;

(D) Documentation of participation in a mentoring program by the sponsoring Missouri public school district or accredited nonpublic school; and

(E) Documentation of key course work in education as listed below:

1. Course work in education not to exceed twenty-four (24) credit hours for any temporary authorization certificate (excluding an administrator's and/or special education temporary certificate) to include competencies in:

- A. Psychology of the Exceptional Child;
- B. Behavioral Management Techniques;
- C. Measurement and Evaluation;
- D. Teaching Methods/Instructional Strategies;
- E. Methods of Teaching Reading at the appropriate level;
- F. Developmental Psychology at the appropriate level; and
- G. Beginning Teacher Assistance; or

2. Course work in education not to exceed twenty-nine (29) credit hours for a special education temporary authorization certificate to include competencies in:

- A. Psychology of the Exceptional Child;
- B. Behavioral Management Techniques or Supporting Challenging Behavior;
- C. Evaluation of Abilities and Achievement (to include Intelligence Testing);
- D. Introduction to Teaching Students in one (1) of the following areas:

- (I) Cross-Categorical Disabilities; or
- (II) Severely Developmentally Disabled;

E. Methods of Teaching Students in one (1) of the following areas:

- (I) Cross-Categorical Disabilities; or
- (II) Severely Developmentally Disabled;

F. Methods of Teaching Reading:

- (I) Reading Methods; and
- (II) Analysis and Correction of Reading Disabilities;

G. Methods of Teaching Mathematics:

- (I) Mathematics Methods; and
- (II) Methods of Teaching Remedial Mathematics;

H. Counseling Techniques or Collaboration with Family, School and Community;

I. Selection and use of assistive technology such as augmentative communication systems (only for the Severely Developmentally Disabled certificate of license to teach);

J. Alternative formats for communication including: nonverbal communication systems (only for the Severely Developmentally Disabled certificate of license to teach); and

K. Speech and Language Development of the Exceptional Child (only for the Severely Developmentally Disabled certificate of license to teach).

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, RSMo 2000 and 161.092, 168.021, 168.071 and 168.081, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.270 Application for a Vocational-Technical Certificate of License to Teach is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1782–1783). Changes have been made in the text of the *Compendium of Missouri Certification Requirements* which is incorporated by reference. No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received five (5) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section. **RESPONSE AND EXPLANATION OF CHANGE:** The board has carefully reviewed the comments and will make the corrections in the *Compendium of Missouri Certification Requirements* which is incorporated by reference.

COMMENT: The board received one (1) comment questioning the length of the certificate and the initial and renewal requirements for the vocational-technical classification.

RESPONSE: The board has carefully reviewed the comment. No changes are made in the text of the proposed amendment but would point out that the requirements are currently under review and a new proposed amendment will be forthcoming.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, RSMo 2000 and 161.092, 168.021, 168.071 and 168.081, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.280 Application for an Adult Education and Literacy Certificate of License to Teach is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1784–1785). Changes have been made in the text of the *Compendium of Missouri Certification Requirements* which is incorporated by reference. No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received five (5) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section.

RESPONSE AND EXPLANATION OF CHANGE: The board has carefully reviewed the comments and will make the corrections in the *Compendium of Missouri Certification Requirements* which is incorporated by reference.

COMMENT: The board received one (1) comment questioning the length of the certificate and the initial and renewal requirements for the adult education and literacy classification.

RESPONSE: The board has carefully reviewed the comment. No changes are made in the text of the proposed amendment but would point out that the requirements are currently under review and a new proposed amendment will be forthcoming.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, RSMo 2000 and 161.092, 168.021, 168.071 and 168.081, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.290 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1786). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) letter of comment.

COMMENT: The board received a comment seeking clarification of the background check form.

RESPONSE AND EXPLANATION OF CHANGE: The board has carefully reviewed the comment and changes section (2) which is reprinted here for clarity.

5 CSR 80-800.290 Application for Substitute Certificate of License to Teach

(2) Applications for a substitute Missouri certificate of license to teach (including the background check form) shall be submitted by the school district either through the Internet or on the forms provided by the board and may be obtained by writing the Educator Certification Section of the Department of Elementary and Secondary Education (DESE) at PO Box 480, Jefferson City, MO 65102 or by downloading from the Internet.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, RSMo 2000 and 161.092, 168.021, 168.071 and 168.081, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.300 Discipline and Denial of Certificates of License to Teach is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1786–1787). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011 and 168.405, RSMo 2000 and 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.350 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1787–1790). Changes have been made in the text of the proposed amendment and the *Compendium of Missouri Certification Requirements* which is incorporated by reference. Those sections of the proposed amendment with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received fifteen (15) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section. **RESPONSE AND EXPLANATION OF CHANGE:** The board has carefully reviewed the comments and will make the corrections in the *Compendium of Missouri Certification Requirements* which is incorporated by reference.

COMMENT: The board received six (6) comments opposing the deletion of the categorical areas in special education and three (3) comments supporting the deletion of the categorical areas.

COMMENT: The board received two (2) comments pointing to typographical errors in the Appendix A regarding Fire Protection and Safety Technology/Technician and the deletion of Heating, Air Conditioner and Refrigeration Technology/Technician.

RESPONSE AND EXPLANATION OF CHANGE: The board carefully reviewed the comments and decided to make no changes regarding the special education certificates but will delete Heating, Air Conditioner and Refrigeration Technology/Technician and correct the typographical error for Fire Protection and Safety Technology/Technician in Appendix A, which is reprinted here for clarification.

5 CSR 80-800.350 Certificate of License to Teach Content Areas

Appendix A—Vocational-Technical Certificates

Agricultural Education

Agricultural Business
Agricultural Education
Agricultural Mechanics
Agricultural Processing
Agricultural Production
Agricultural Resources
Agricultural Services/Supplies
Forestry
Horticulture

Business Education

Accounting
Computer Programming/Network Administration
General Office and Information Processing
Vocational Business Education
Vocational Business Education with Coop

Family and Consumer Sciences Education

Apparel and Textiles
Dietetic Services
Food Production, Management and Related Services
Housing and Home Environments
Human Development/Adult Development and Aging
Human Development/Child Care
Vocational Family and Consumer Sciences, Other

Health Sciences

Dental Assistant*
Dental Hygienist*
Dental Laboratory Technician
Diagnostic Medical Sonography Technician*
Emergency Medical Technology/Technician*
Funeral Service and Mortuary Science*
Health Aide (Health Services Assistant)*
Health Occupations Coop*
Health Professions and Related Sciences, Other
Health Unit Coordinator/Ward Clerk
Licensed Practical Nursing (LPN Training)*
Massage Therapy*
Medical Assistant*
Medical Health Services, Other
Medical Laboratory Assistant*
Medical Laboratory Technician*
Medical Radiologic Technology/Technician*
Medical Record Technology/Technician (Health Information Technology)*
Medical Transcription*
Nursing Assistant/Aide*
Nursing, Other*
Occupational Therapy Assistant*
Pharmacy Technician/Assistant*
Physical Therapy Assistant*
Registered Nursing (RN Training)*
Respiratory Therapy Technician*
Sign Language Interpreter*
Surgical/Operating Room Technology*

Marketing and Cooperative Education

Cooperative Vocational Education
Marketing Education

Trade and Industrial Education

Aircraft Mechanic/Technician, Airframe*
Aircraft Mechanic/Technician, Powerplant*
Applied Mathematics, General
Architectural Engineering Technology/Technician
Auto/Automotive Body Repairer
Auto/Automotive Mechanic/Technician
Automotive Engineering Technology/Technician
Aviation Systems and Avionics Maintenance Technologist/Technician*
Biomedical Engineering-Related Technology/Technician
Building/Property Maintenance and Manager
Cabinet Maker and Millworker
Carpenter
Chemical Technology/Technical
Civil Engineering/Civil Technology/Technician
Civil/Structural Drafting
Commercial Photography
Communications Systems Installer and Repairer
Communications Technology
Computer Installer and Repairer
Computer Maintenance Technology/Technician
Construction and Building Finishers and Managers, Other
Construction Equipment Operator
Construction Trades, Other
Construction/Building Technology/Technician
Cosmetic Services, Other
Cosmetologist*
Culinary Arts
Desktop Publishing Equipment Operator
Diesel Engine Mechanic and Repairer
Drafting, General
Drafting, Other
Drycleaner and Launderer (Commercial)
Educational/Instructional Media Technology/Technician
Electrical and Electronics Equipment Installer and Repairer, General
Electrical and Electronics Equipment Installer and Repairer, Other
Electrical and Power Transmission Installer, General
Electrical, Electronic and Communications Engineering Technology/Technician
Electrician
Electromechanical Technology/Technician
English Technical and Business Writing
Fire Protection and Safety Technology/Technician
Fire Science/Firefighting
Food and Beverage/Restaurant Operations Manager
Graphic and Printing Equipment Operator, General
Graphic and Printing Equipment Operator, Other
Graphic Design, Commercial Art and Illustration
Heating, Air Conditioning and Refrigeration Mechanic and Repairer
Heavy Equipment Maintenance and Repairer
Industrial Design
Industrial Electronics Installer and Repairer
Industrial Equipment Maintenance and Repairer, Other
Industrial Machinery Maintenance and Repairer
Industrial Production Technologies/Technicians, Other
Industrial Technology/Technician
Instrumentation Technology/Technician
Ironworking/Ironworker
Laser and Optical Technology/Technician
Law Enforcement/Police Science
Machinist/Machine Technologist
Major Appliance Installer and Repairer
Manufacturing Technology

Marine Maintenance and Ship Repairer
 Mason and Tile Setter
 Mechanical Engineering/Mechanical Technology/Technician
 Motorcycle Mechanic and Repairer
 Occupational Safety and Health Technology/Technician
 Painter and Wall Coverer
 Pipefitting/Pipefitter and Sprinkler Fitter
 Plumbing Technology/Plumber
 Quality Control Technology/Technician
 Radio and Television Broadcasting Technology/Technician
 Robotics Technology/Technician
 Sheet Metal Worker
 Small Engine Mechanic and Repairer
 Tool and Die Maker/Technologist
 Trade and Industrial Internship
 Truck, Bus and Other Commercial Vehicle Operator
 Upholsterer
 Vehicle and Mobile Equipment Mechanics and Repairer, Other
 Water Quality and Wastewater Treatment Technology/Technician
 Welder/Welding Technologist

*Requires Professional Licensing

**Title 5—DEPARTMENT OF ELEMENTARY AND
 SECONDARY EDUCATION
 Division 80—Teacher Quality and Urban Education
 Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, 168.128, 168.405 and 168.409, RSMo 2000 and 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.360 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1790-1793). Changes have been made in the text of the proposed amendment and the *Compendium of Missouri Certification Requirements* which is incorporated by reference. Those sections of the proposed amendment with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received forty-seven (47) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section. **RESPONSE AND EXPLANATION OF CHANGE:** The board has carefully reviewed the comments and will make the corrections in the *Compendium of Missouri Certification Requirements* which is incorporated by reference.

COMMENT: The board received a comment requesting that the local districts not have to report the professional development hours, rather the certificate holder should report the hours.

COMMENT: The board received twenty-eight (28) comments concerned that the professional development plan not be too burdensome and left to the local district's control.

RESPONSE AND EXPLANATION OF CHANGE: The board

carefully reviewed the comments and would point out that the professional development must be reported by the local school district and the professional development plan is within the control of the local school district. For clarification paragraphs (6)(B)2. and (7)(A)2. will be modified.

COMMENT: The board received twenty-six (26) comments concerned that the language of National Board Certification is too restrictive.

RESPONSE: The board carefully reviewed the comments and decided to make no changes in the text of the proposed amendment at this time. The board will, however, consider changing the rule to include other rigorous national certifications as specific requests are made.

COMMENT: The board received nine (9) comments requesting that the provisional classification be added again for alternative teacher preparation programs.

RESPONSE AND EXPLANATION OF CHANGE: The board carefully reviewed the comments and agrees to add provisional classification for alternative teacher preparation programs. Subsection (14)(B) is added.

COMMENT: The board received a comment seeking clarification of college hours and contact hours of professional development, questioning the authority for the PBTE's, asking for clarification of calendar or school years, and two (2) comments questioning the beginning teacher assistance program.

RESPONSE AND EXPLANATION OF CHANGE: The board carefully reviewed the comments and points out that the authority for the PBTE's is found in section 168.128, RSMo, which is listed in the authority section. In addition, the board will delete and clarify language regarding contact hours, beginning teacher assistance and clarify that it is school years. Subsections (5)(B), (6)(B), (7)(A) and (B) and section (9) are modified. Section (9) and subsections (5)(B), (6)(B), (7)(A), (7)(B), (14)(B) and (14)(C) are reprinted here for clarity.

5 CSR 80-800.360 Certificate of License to Teach Classifications

(5) For the purpose of this rule, one (1) contact hour for professional development is defined as:

(A) Sixty (60) minutes of professional development; or

(B) One (1) hour college credit equals fifteen (15) contact hours of professional development.

(6) Initial Professional Classification (IPC):

(B) During the valid dates of the IPC classification, the certificate holder shall complete the following requirements:

1. Verification of four (4) years of state-approved teaching experience;

2. Develop and implement a professional development plan of at least thirty (30) contact hours, approved by the employing school district, to include clearly stated goals for improvement and enrichment;

3. Participate in a mentoring program for a minimum of two (2) school years, the guidelines for which shall be established by the local board of education;

4. Participate in a beginning teacher assistance program designed in cooperation with a Missouri teacher education program to include, but not be limited to, assistance in classroom management, instructional strategies and ongoing support; and

5. Participate in the district's Performance-Based Teacher Evaluations (PBTEs); and/or

(7) Career Continuous Professional Classification (CCPC):

(A) A CCPC classification will be issued to an applicant upon completion and verification of the following:

1. Four (4) years of state-approved teaching experience;

2. The development and implementation of a professional development plan of at least thirty (30) contact hours approved by the employing school district to include clearly stated goals for improvement and enrichment;

3. Participation in a mentoring program for a minimum of two (2) school years, the guidelines for which shall be established by the local board of education;

4. Participation in a beginning teacher assistance program designed in cooperation with a Missouri teacher education program to include, but not be limited to, assistance in classroom management, instructional strategies and ongoing support; and

5. Participation in the district's PBTEs;

(B) The CCPC classification is continuous upon verification by the employing school district that the certificate holder has completed fifteen (15) contact hours of professional development per school year;

1. Individuals possessing a CCPC who do not complete fifteen (15) contact hours of professional development each school year, may within two (2) school years make up the missing hours. The individual must first meet the fifteen (15)-hour requirement for the current school year and then count the excess hours as makeup hours;

2. A CCPC becomes inactive if the individual does not make up the requisite hours within two (2) school years; and/or

3. A CCPC may be reactivated by the individual completing twenty-four (24) contact hours of professional development within six (6) months prior to or after the reactivation of the certificate. Failure of the individual to complete the twenty-four (24) contact hours within six (6) months will result in the certificate becoming inactive; and

(9) Individuals who have not been employed in a school setting for three (3) or more school years may reactivate the appropriate level of professional classification certificate of license to teach by completing twenty-four (24) contact hours of professional development within six (6) months prior to or after returning to an educational position.

(14) Provisional certificates of license to teach may be issued to an individual for two (2) years and may be extended upon a showing of good cause. Provisional certificates of license to teach may be issued in the following situations:

(A) A two (2)-year provisional certificate of license to teach may be issued to an individual who has completed the academic requirements for a certificate of license to teach, but has not taken or passed the exit assessment(s) designated by the board;

(B) A two (2)-year provisional certificate of license to teach may be issued to an individual who has been admitted into a state-approved post-baccalaureate or alternative professional education program at a Missouri institution of higher education and is actively engaged in coursework to satisfy the requirements of the program; or

(C) A two (2)-year provisional certificate of license to teach may be issued to an individual who has completed a teacher preparation program and is generally within twelve (12) semester hours of completion of the certification requirements as set forth in the compendium.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 80—Teacher Quality and Urban Education Chapter 800—Educator Certification

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, 168.405 and 168.409, RSMo 2000 and 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.370 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1793-1795). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received twenty-six (26) letters of comment.

COMMENT: The board received twenty-six (26) comments regarding fees and seeking clarification of who pays for the career continuous certification fee.

RESPONSE AND EXPLANATION OF CHANGE: The board carefully reviewed the comments and would change section (2) to clarify that holders of an initial certificate of license to teach or out-of-state applicants eligible for a career continuous certificate of license to teach will pay the fee. Subsection (2)(B) is reprinted here for clarity.

5 CSR 80-800.370 Fees

(2) The following fees are established by the State Board of Education (board) and are payable in the form of a check or money order to the Treasurer, State of Missouri:

(B) Application for a Career Continuous Professional Certificate of License to Teach (Individuals who completed a teacher preparation program from a non-Missouri school and/or individuals who hold an initial professional certificate of license to teach)	\$35.00
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Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 80—Teacher Quality and Urban Education Chapter 800—Educator Certification

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, 168.405 and 168.409, RSMo 2000 and 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.380 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1796-1799). Changes have been made in the text of the proposed amendment and the *Compendium of Missouri Certification Requirements* which is incorporated by reference. Those sections of the proposed amendment with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received seven (7) letters of comment.

COMMENT: The board received four (4) comments pointing out that the *Compendium of Missouri Certification Requirements* has typographical errors in the requirements for Nursing Assistant-Aide, the School Psychologist, and Speech-Language Pathologist. In addition, the Speech-Language Specialist should be eliminated and the Speech-Language Pathologist moved to the Student Services section. RESPONSE AND EXPLANATION OF CHANGE: The board has carefully reviewed the comments and will make the corrections in the *Compendium of Missouri Certification Requirements* which is incor-

porated by reference.

COMMENT: The board received a comment opposing the issuance of a certificate of license to teach after completing a test.

RESPONSE: The board carefully reviewed the comment and decided to make no changes.

COMMENT: The board received two (2) comments pointing out that Speech-Language Specialist should be titled Speech-Language Pathologist and that it is a student services classification.

COMMENT: The board received one (1) comment asking for clarification of the test and temporary authorization certificate of license to teach.

RESPONSE AND EXPLANATION OF CHANGE: The board carefully reviewed the comments and corrected the Speech-Language Pathologist and adds a new section (3) to clarify the testing for the temporary authorization certificate of license to teach in the rule and added language in Appendix A.

COMMENT: The board received a comment pointing to a change in the law which removed the testing requirement for an out-of-state applicant.

RESPONSE AND EXPLANATION OF CHANGE: The board carefully reviewed the comment and modified the language in section (1) and deleted paragraph (1)(A)2. Sections (1) and (3) are reprinted here for clarity.

5 CSR 80-800.380 Required Assessments for Professional Education Certification in Missouri

(1) Each applicant seeking a Missouri certificate of license to teach will successfully complete an exit assessment to measure the applicant's competency in subject matter, pedagogical knowledge, or both, prior to being granted the certificate. An exemption exists if the applicant holds a valid certificate of license to teach from another state.

(A) The State Board of Education (board) has selected the Praxis II: Content Knowledge or Specialty Area assessments and the Principles of Learning and Teaching assessments developed by the Educational Testing Service (ETS) as the exit assessments for certificates of license to teach. Qualifying scores are established by the board and published by ETS for each assessment designated for an area of certification.

1. Applicants seeking initial certificates of license to teach must complete and achieve a Missouri qualifying score in the content knowledge or specialty area assessment in their major area of preparation or the appropriate principles of learning and teaching assessment if no content knowledge or specialty area assessment is designated, except in the areas of special education, student services, and administration (see Appendix A, which is included herein).

2. Applicants holding a valid Missouri professional or life certificate of license to teach in a content area who are seeking additional certificate(s) of license to teach in other content area(s), will receive the additional certificate(s) upon meeting either of the following conditions:

A. Complete and achieve a Missouri qualifying score for the Praxis II content knowledge or specialty area assessment designated for the certificate of license to teach, except for the areas of unified science, special education other than mild/moderate cross-categorical disabilities, student services, administration, vocational-technical, and adult education and literacy; or

B. Successfully complete the applicable certification requirements as set forth in the *Compendium of Missouri Certification Requirements* (compendium), which is incorporated by reference and made a part of this rule.

3. Applicants holding a valid Missouri professional or life certificate of license to teach in a secondary content area who are seeking additional certification for middle school in the same content

area, will receive the additional certification upon meeting either of the following conditions:

A. Complete and achieve a Missouri qualifying score for the Praxis II: Principles of Learning and Teaching, grades five through nine (5-9), assessment; or

B. Successfully complete the applicable certification requirements for middle school education, grades five through nine (5-9), as set forth in the compendium.

(3) Applicants holding a temporary authorization certificate of license to teach who have not completed a state-approved teacher preparation program shall complete and achieve the Missouri qualifying scores for both the Praxis II content knowledge or specialty area assessment for the content area and the Praxis II Principles of Learning and Teaching for the specific grade ranges prior to advancement to a professional classification certificate of license to teach (see Appendix A).

APPENDIX A

ASSESSMENTS DESIGNATED FOR CERTIFICATION IN MISSOURI

The Praxis[®] assessments listed below have been designated by the State Board of Education to fulfill the assessment requirement for certification in Missouri. The assessments are listed beside the certificates to which they correspond.

<u>Missouri Certificate of License to Teach</u>	<u>Test Code</u>	<u>Designated Assessment</u>
Early Childhood Education, Birth–Grade 3	10020	Early Childhood Education
Early Childhood Special Education, Birth–Grade 3	10690	Special Education: Preschool/Early Childhood
Elementary Education, Grades 1–6	10011	Elementary Education: Curriculum, Instruction, and Assessment
Middle School Education, Grades 5–9	—	—
Language Arts	10049	MS English–Language Arts: Content Knowledge
Mathematics	20069	MS Mathematics: Content Knowledge
Science	10439	MS Science: Content Knowledge
Social Science	20089	MS Social Studies: Content Knowledge
Other Middle School Subject Areas	30523	Principles of Learning and Teaching, Grades 5–9
Secondary Education, Grades 9–12 (except as noted)	—	—
Agriculture	10700	Agriculture
Art K–12, 9–12	10133	Art: Content Knowledge
Business Education	10100	Business Education
English	10041	English Language, Literature and Composition: Content Knowledge
Family and Consumer Science ¹	10120	Family and Consumer Science
Vocational and Non-Vocational		
Foreign Language: K–12		
French K–12	20173	French: Content Knowledge
German K–12	20181	German: Content Knowledge
Spanish K–12	10191	Spanish: Content Knowledge
Health K–12, 9–12	20550	Health Education
Industrial Technology	10050	Technology Education
Library Media Specialist, K–12	10310	Library Media Specialist
Marketing and Distributive Education	10560	Marketing Education
Mathematics	10061	Mathematics: Content Knowledge
Music: Instrumental, Vocal K–12	10113	Music: Content Knowledge
Physical Education K–9, K–12, 9–12	10091	Physical Education: Content Knowledge
Science:		
Biology	20235	Biology: Content Knowledge
Chemistry	20245	Chemistry: Content Knowledge
Earth Science	20571	Earth Science: Content Knowledge
General Science	10435	General Science: Content Knowledge
Physics	10265	Physics: Content Knowledge
Social Science	10081	Social Studies: Content Knowledge
Special Education, K–12		
Blind and Partially Sighted ²	10280	Teaching Students with Visual Impairments
Deaf and Hearing Impaired ²	10271	Education of Deaf and Hard of Hearing Students
Mild-Moderate Disabilities: Learning Disabled, Behavioral Disordered, Mentally Handicapped, or Physical and Other Health Impairments ²	20353	Education of Exceptional Students: Core Content Knowledge
Mild-Moderate Cross-Categorical Disabilities	20353	Education of Exceptional Students: Core Content Knowledge
	and	
	10542	Education of Exceptional Students: Mild to Moderate Disabilities
Severely Developmentally Disabled ²	20353	Education of Exceptional Students: Core Content Knowledge
	and	
	10544	Education of Exceptional Students: Severe to Profound Disabilities
Speech/Theatre	10220	Speech Communication
Speech and Language Pathologist K–12 ⁴	20330	Speech–Language Pathology

Unified Science ³	—	—
Biology	20235	Biology: Content Knowledge
Chemistry	20245	Chemistry: Content Knowledge
Earth Science	20571	Earth Science: Content Knowledge
Physics	10265	Physics: Content Knowledge
K-12 or 9-12 certificate of license to teach for which no specialty area assessment or content knowledge assessment is designated and a Temporary Authorization Certificate (TAC) of License to Teach	30524	Principles of Learning and Teaching, Grades 7–12
School Counselor K–8, 7–12 ⁴	20420	School Guidance and Counseling
School Psychologist K–12 ⁴	10400	School Psychologist
Building-Level Administrator ⁴	11010	School Leaders Licensure Assessment (SLLA)
Principal K–8, 5–9, 9–12		
Special Education Administrator K–12		
Vocational School Director		
District-Level Administrator (Superintendent) K–12 ⁴	11020	School Superintendent Assessment (SSA)

1. Additional certification by completion of the designated assessment only is limited to Non-Vocational.
2. Not available by completion of the designated assessment only; also requires completion of a program of study in special education with the area of specialization from a state-approved institution.
3. Not available by completion of the designated assessment only; also requires completion of a program of study in the unified science core with the area of specialization from a state-approved institution.
4. Not available by completion of the designated assessment only; also requires completion of a program of study and a recommendation from a state-approved institution.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Certification**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 168.011, RSMo 2000 and 161.092, 168.021, 168.071 and 168.081, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 80-800.400 Procedure for Potential Candidates for Missouri Certificate of License to Teach with a Criminal History to Petition the State Board of Education for Background Clearance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1800). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) letter of comment.

COMMENT: The board received a comment supporting the requirement to obtain criminal history for foreign applicant.

RESPONSE: The board reviewed the comment and no changes are necessary.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 90—Vocational Rehabilitation
Chapter 7—Personal Care Assistance Program**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 178.661 and 178.673, RSMo 2000 and 161.092, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 90-7.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1800–1801). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 90—Vocational Rehabilitation
Chapter 7—Personal Care Assistance Program**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 178.662, 178.666 and 178.673, RSMo 2000 and 161.092, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 90-7.100 Eligibility is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1801). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 90—Vocational Rehabilitation
Chapter 7—Personal Care Assistance Program**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 178.662, 178.664, 178.666, 178.669 and 178.673, RSMo 2000 and 161.092, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 90-7.200 Providers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1801–1802). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 90—Vocational Rehabilitation
Chapter 7—Personal Care Assistance Program**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 178.671 and 178.673, RSMo 2000 and 161.092, RSMo Supp. 2003, the board amends a rule as follows:

5 CSR 90-7.320 Hearings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1802–1804). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 1—Organization**

ORDER OF RULEMAKING

By the authority vested in the Department of Labor and Industrial Relations under section 536.023 RSMo 2000, the department amends a rule as follows:

8 CSR 30-1.010 Organization of the Division of Labor Standards is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 17, 2003 (28 MoReg 2030–2031). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 4—Minimum Wage and Overtime Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Labor and Industrial Relations under sections 290.512, 290.515 and 290.517, RSMo 2000, the department amends a rule as follows:

8 CSR 30-4.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 17, 2003 (28 MoReg 2031). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 4—Minimum Wage and Overtime Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Labor and Industrial Relations under sections 290.512, 290.515 and 290.517, RSMo 2000, the department amends a rule as follows:

**8 CSR 30-4.020 Minimum and Subminimum Wage Rates is
amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 17, 2003 (28 MoReg 2031–2032). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 5—General Program Procedures**

ORDER OF RULEMAKING

By the authority vested in the Department of Mental Health under section 630.050, RSMo 2000, the department amends a rule as follows:

9 CSR 10-5.190 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2153–2155). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) comment.

COMMENT: One person suggested that subsection (1)(A) ought to specifically mention one (1) residential program and two (2) comprehensive substance abuse and treatment and rehabilitation programs.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has revised the rule accordingly.

EXPLANATION OF OTHER CHANGE: Even though no specific comment was received, the department has eliminated the phrase “regarding disqualifying crimes” from the end of subsection (1)(B). This is necessary because the sections of the rule referenced in this context include some disqualifications that are not related to crimes.

**9 CSR 10-5.190 Background Screening for Employees and
Volunteers**

(1) For the purposes of this rule, residential facilities, day programs and specialized services are divided into two (2) categories, as follows:

(A) Category I. Those that are certified or licensed exclusively by the Department of Mental Health (DMH) or, although not certified or licensed, are funded by the department. Specifically this category includes:

1. Agencies certified by DMH as community psychiatric rehabilitation programs (CPRP), comprehensive substance abuse and treatment and rehabilitation programs (CSTAR), residential and/or outpatient programs;

2. Agencies certified by DMH in the community-based waiver certification program;

3. Agencies certified by the Division of Alcohol and Drug Abuse;

4. Facilities that have contractual arrangements with the department but are exempt from the department’s licensing and certification rules due to accreditation or other reason; and

5. Facilities and day programs which are licensed by the department and do not have a license from another state agency; and

(B) Category II. Those that, in addition to a license or certificate from DMH, have a license or certification from another state agency. Specifically, this category includes facilities licensed by the Children’s Division or the Department of Health and Senior Services; also included are intermediate care facilities/mental retardation (ICF/MR). Facilities and agencies included in Category II are subject to rules regarding criminal record review as promulgated by the state agency which licenses or certifies them and are not subject to sections (2) through (7) of this rule. However such agencies are subject to sections (8), (9), (10) and (11).

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 5—General Program Procedures**

ORDER OF RULEMAKING

By the authority vested in the Department of Mental Health under section 630.050, RSMo 2000, the department amends a rule as follows:

9 CSR 10-5.210 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2155-2156). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE: Even though no specific comment was received the department notes a typographical error. In subsection (1)(A) is the phrase "results to a person being disqualified." This should read "results in a person being disqualified." The department has revised the rule accordingly.

9 CSR 10-5.210 Exceptions Committee Procedures

(1) Definitions. The following terms are defined as follows:

(A) Disqualifying incident, a crime which under 9 CSR 10-5.190 results in a person being disqualified from employment, or one (1) or more administrative findings of abuse, neglect or misuse of client funds which, under 9 CSR 10-5.200 leads to a person being listed on the Department of Mental Health disqualification registry;

Title 9—DEPARTMENT OF MENTAL HEALTH Division 45—Division of Mental Retardation and Developmental Disabilities Chapter 5—Standards for Community-Based Services

ORDER OF RULEMAKING

By the authority vested in the Department of Mental Health under sections 630.050 and 630.655, RSMo 2000, the department adopts a rule as follows:

9 CSR 45-5.105 Definitions for Fire Safety Rules is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1805). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 45—Division of Mental Retardation and Developmental Disabilities Chapter 5—Standards for Community-Based Services

ORDER OF RULEMAKING

By the authority vested in the Department of Mental Health under sections 630.050 and 630.655, RSMo 2000, the department adopts a rule as follows:

9 CSR 45-5.110 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1805-1809). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received five (5) comments on the proposed rule.

COMMENT: One person made a general comment about 9 CSR 45-5.110(2)(E) which requires exit doors to swing in the direction of egress travel. The person estimated the cost of compliance with that requirement for a specific provider to be \$1,500 for each of two buildings totaling \$3,000.

RESPONSE AND EXPLANATION OF CHANGE: The department will revise the fiscal note accordingly based on this one provider's determination of cost. However, the department does not generalize that this is the cost to any other facilities.

COMMENT: One person asked if this rule applied to providers accredited by CARF (The Rehabilitation Accreditation Commission).

RESPONSE: The certification of a provider accredited by CARF is not contingent upon meeting the requirements of this regulation. However, the department considers these standards minimal and essential to the safety of consumers and therefore, would expect accredited providers to have an equivalent of these standards.

COMMENT: One person commenting on section (8) stated that parameters are needed regarding the storage of materials near a furnace.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added wording in subsection (8)(N).

COMMENT: One person commenting on subsection (7)(H) suggested that examples of appliances that pose a risk of carbon monoxide be added.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added examples to this section.

COMMENT: One person commented that the wording in subsection (7)(I) regarding the number and placement of fire extinguishers is contradictory.

RESPONSE: The department has reviewed the wording and believes it is clear and has not revised the rule in response to this comment.

9 CSR 45-5.110 Fire Safety for On-Site Day Habilitation

(7) Detection, Alarms, Extinguishment.

(H) Facilities using equipment or appliances, such as a gas stove or gas water heater, that pose a potential carbon monoxide risk, including facilities with attached garages, shall install a carbon monoxide detector(s). The detector(s) shall be installed according to the manufacturer's instructions. The state fire marshal may require additional carbon monoxide detectors if the state fire marshal inspector determines that the safety of the occupants is endangered.

1. Carbon monoxide detectors shall be in good operating condition. If a battery-operated detector is not operational, the facility shall install a detector that is powered by the building's electrical system with a battery backup.

2. If an elevated carbon monoxide level is detected during a fire inspection, the facility shall have all gas-fired appliances checked by a heating and air conditioning company to identify the source of the carbon monoxide. Until the facility has documentation on file at the facility verifying that all gas-fired appliances were checked by a heating and air conditioning company and are in safe working order, and the facility is determined safe by the state fire marshal inspector, the fire inspection shall not be approved.

3. If a level of carbon monoxide is determined that endangers the lives of the occupants in care, the state fire marshal shall take measures necessary to protect the occupants. This may include evacuation of the building or closing the facility. The facility shall obtain and have on file at the facility, documentation verifying that all gas-fired appliances were checked by a heating and air conditioning company and are in safe working order. The facility shall be reinspected by the state fire marshal inspector and determined safe before the occupants can return to the building or the facility can reopen.

(8) Heating, Ventilating, Air Conditioning, and Mechanical Equipment.

(N) If any combustibles are stored in a furnace room, they must be enclosed in a metal container.

REVISED PRIVATE COST: The department estimates a one-time cost of three thousand dollars (\$3,000). See fiscal note.

Revised Fiscal Note

Private Entity Cost

I. Rule Number

Title 9 – Department of Mental Health

Division 45 – Division of Mental Retardation and Developmental Disability

Chapter 5 - Standards

Rule Number and Name: 9 CSR 45-5.110 Fire Safety on On-Site Day Habilitation

II . SUMMARY OF FISCAL IMPACT.

Estimate of the number of entities by class which would likely be affected by the adopting of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance wit the rule be the affected entities:
1	On-SiteDay Habilitation Program	\$3000

III. WORKSHEET. \$1500 times two doors = \$3000.

IV. ASSUMPTIONS AND METHODOLOGY.

Information available to the department at the time this proposed rule was published indicated that providers did not anticipate any cost in complying with this rule. However, during the public comment period one provider stated that it would cost his agency approximately \$1500 per door to comply with the requirement, under subsection (2)(E), that exit doors swing in the direction of egress travel. The provider stated that two doors at his day habilitation program would be affected.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 45—Division of Mental Retardation and
Developmental Disabilities
Chapter 5—Standards for Community-Based Services**

ORDER OF RULEMAKING

By the authority vested in the Department of Mental Health under sections 630.050 and 630.655, RSMo 2000, the department adopts a rule as follows:

9 CSR 45-5.130 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1809-1812). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received six (6) comments on the proposed rule.

COMMENT: One person asked if the regulation applied to providers accredited by CARF (The Rehabilitation Accreditation Commission). **RESPONSE:** The certification of a provider accredited by CARF is not contingent upon meeting the requirements of this regulation. However, the department considers these standards minimal and essential to the safety of consumers and therefore, would expect accredited providers to have an equivalent of these standards.

COMMENT: One person commenting on section (7) stated that parameters are needed regarding the storage of materials near a furnace.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added wording in (7)(O).

COMMENT: One person commenting on subsection (6)(G) suggested that examples of appliances that pose a risk of carbon monoxide be added.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added examples to this section.

COMMENT: One person commented that the wording on subsection (6)(H) regarding the number and placement of fire extinguishers is contradictory.

RESPONSE: The department has reviewed the wording and believes it is clear and has not revised the rule in response to this comment.

COMMENT: One person commenting on sections (1) General Requirements and (4) Protection expressed a concern that some of the proposed changes are cost prohibitive, and other specific examples of potential concerns particular to the writer's provider organization.

RESPONSE: In cooperation with many providers, these sections were written to give reasonable protection appropriate to the consumer's needs and the vision of the department and consumers for community living. The department considers these minimally necessary. All potential difficulties are taken into account in the drafting of the rules. The final draft is a reflection of striking a balance of regulatory responsibility and the realities of living in the community. The efforts made by the department to access the fiscal impact of this rule did not lead to any conclusion that the requirements would be cost prohibitive. The agency making this comment is not subject to this rule because the agency is accredited by CARF. (See **RESPONSE** to the first comment above).

COMMENT: One person commenting on fire safety rules in residential sites asked, "Shouldn't the residential habilitation sites have a restriction similar to the day habilitation programs restricting them

to use ground level areas plus one above and one below with appropriate sprinkler systems?"

RESPONSE: Residential habilitation homes and facilities are subject to different regulations, particularly regarding staffing patterns and the number of residents.

9 CSR 45-5.130 Fire Safety for Residential Habilitation for 4-9 People

(6) Detection, Alarms, Extinguishment.

(G) Residences using equipment or appliances, such as a gas stove or gas water heater, that pose a potential carbon monoxide risk, including facilities with attached garages, shall install a carbon monoxide detector(s). The detector(s) shall be installed according to the manufacturer's instructions. The state fire marshal inspector may require additional carbon monoxide detectors if the state fire marshal inspector determines that the safety of the occupants is endangered.

1. Carbon monoxide detectors shall be in good operating condition. If a battery operated detector is not operational, the facility shall install a detector that is powered by the home's electrical system with a battery backup.

2. If an elevated carbon monoxide level is detected during a fire inspection, the residence shall have all gas-fired appliances checked by a heating and air conditioning company to identify the source of the carbon monoxide. Until the residence has documentation on file at the home verifying that all gas-fired appliances were checked by a heating and air conditioning company and are in safe working order, and the facility is determined safe by the state fire marshal, the fire inspection shall not be approved.

3. If a level of carbon monoxide is determined that endangers the lives of the occupants, the state fire marshal inspector shall take measures necessary to protect the occupants. This may include evacuation of the home or closing the residence. The residence shall obtain and have on file at the home, documentation verifying that all gas-fired appliances were checked by a heating and air conditioning company and are in safe working order. The residence shall be re-inspected by the state fire marshal inspector and determined safe before the occupants can return to the home or the residence can reopen.

(7) Heating, Ventilating, Air Conditioning, and Mechanical Equipment.

(O) If any combustibles are stored in a furnace room, they must be enclosed in a metal container.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 45—Division of Mental Retardation and
Developmental Disabilities
Chapter 5—Standards for Community-Based Services**

ORDER OF RULEMAKING

By the authority vested in the Department of Mental Health under sections 630.050 and 630.655, RSMo 2000, the department adopts a rule as follows:

9 CSR 45-5.140 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1812-1816). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received six (6) comments on the proposed rule.

COMMENT: Two persons commenting on subsection (1)(D) asked for an exception to drills for the medically fragile to be consistent with other proposed fire safety rules.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added wording in (1)(D).

COMMENT: One person asked if the regulation applied to providers accredited by CARF (The Rehabilitation Accreditation Commission).

RESPONSE: The certification of a provider accredited by CARF is not contingent upon meeting the requirements of this regulation. However, the department considers these standards minimal and essential to the safety of consumers and therefore, would expect accredited providers to have an equivalent of these standards.

COMMENT: One person commenting on section (7) stated that parameters are needed regarding the storage of materials near a furnace.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added wording in (7)(O).

COMMENT: One person commenting on subsection (6)(G) suggested that examples of appliances that pose a risk of carbon monoxide be added.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added examples to this section.

COMMENT: One person commented that the wording on subsection (6)(H) regarding the number and placement of fire extinguishers is contradictory.

RESPONSE: The department has reviewed the wording and believes it is clear and has not revised the rule in response to this comment.

COMMENT: One person commenting on fire safety rules in residential sites asked, "Shouldn't the residential habilitation sites have a restriction similar to the day habilitation programs restricting them to use ground level areas plus one above and one below with appropriate sprinkler systems?"

RESPONSE: Residential habilitation homes and facilities are subject to different regulations, particularly regarding staffing patterns and the number of residents.

9 CSR 45-5.140 Fire Safety for Residential Habilitation for 10-16 People

(1) General Requirements.

(D) Each fire drill shall evacuate all persons from the building, or evacuate to an area of refuge and defend in place. Each fire drill shall be conducted as follows:

1. Drills shall simulate an actual fire condition;
2. Occupants and staff members shall not obtain clothing or personal effects after the alarm has sounded;
3. The occupants and staff members shall proceed to a predetermined point outside the building that is sufficiently remote to avoid fire danger, or to a predetermined point inside of the building;
4. Occupants and staff members shall remain in place until a recall is issued or until they are dismissed; and
5. Exception. If there is potential harm to residents during drills because a resident is medically fragile, the provider may arrange the drill to not involve the medically fragile. However, all residents who are medically fragile must participate in a drill at least once per year. This must be documented in the home.

(6) Detection, Alarms, Extinguishment.

(G) Facilities using equipment or appliances, such as a gas stove or gas water heater, that pose a potential carbon monoxide risk, including facilities with attached garages, shall install a carbon monoxide detector(s). The detector(s) shall be installed according to the manufacturer's instructions. The state fire marshal inspector may require additional carbon monoxide detectors if the state fire marshal inspector determines that the safety of the occupants is endangered.

1. Carbon monoxide detectors shall be in good operating condition. If a battery-operated detector is not operational, the facility shall install a detector that is powered by the home's electrical system with a battery backup.

2. If an elevated carbon monoxide level is detected during a fire inspection, the facility shall have all gas-fired appliances checked by a heating and air conditioning company to identify the source of the carbon monoxide. Until the facility has documentation on file at the home verifying that all gas-fired appliances were checked by a heating and air conditioning company and are in safe working order, and the facility is determined safe by the state fire marshal, the fire inspection shall not be approved.

3. If a level of carbon monoxide is determined that endangers the lives of the occupants, the state fire marshal shall take measures necessary to protect the occupants. This may include evacuation of the building or closing the facility. The facility shall obtain and have on file at the facility, documentation verifying that all gas-fired appliances were checked by a heating and air conditioning company and are in safe working order. The facility shall be reinspected by the state fire marshal and determined safe before the occupants can return to the building or the facility can reopen.

(7) Heating, Ventilating, Air Conditioning, and Mechanical Equipment.

(O) If any combustibles are stored in a furnace room, they must be enclosed in a metal container.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 45—Division of Mental Retardation and Developmental Disabilities Chapter 5—Standards for Community-Based Services

ORDER OF RULEMAKING

By the authority vested in the Department of Mental Health under sections 630.050 and 630.655, RSMo 2000, the department adopts a rule as follows:

9 CSR 45-5.150 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 15, 2003 (28 MoReg 1816-1819). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received six (6) comments on the proposed rule.

COMMENT: Two persons commenting on subsection (1)(D) asked for an exception to drills for the medically fragile to be consistent with other proposed fire safety rules.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added wording in (1)(D).

COMMENT: One person asked if the regulation applied to providers accredited by CARF (The Rehabilitation Accreditation Commission).

RESPONSE: The certification of a provider accredited by CARF is not contingent upon meeting the requirements of this regulation. However, the department considers these standards minimal and essential to the safety of consumers and therefore, would expect accredited providers to have an equivalent of these standards.

COMMENT: One person commenting on section (7) stated that parameters are needed regarding the storage of materials near a furnace.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added wording in (7)(O).

COMMENT: One person commenting on subsection (6)(G) suggested that examples of appliances that pose a risk of carbon monoxide be added.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has added examples to this section.

COMMENT: One person commented that the wording on subsection (6)(H) regarding the number and placement of fire extinguishers is contradictory.

RESPONSE: The department has reviewed the wording and believes it is clear and has not revised the rule in response to this comment.

COMMENT: One person commenting on fire safety rules in residential sites asked, "Shouldn't the residential habilitation sites have a restriction similar to the day habilitation programs restricting them to use ground level areas plus one above and one below with appropriate sprinkler systems?"

RESPONSE: Residential habilitation homes and facilities are subject to different regulations, particularly regarding staffing patterns and the number of residents.

9 CSR 45-5.140 Fire Safety for Residential Habilitation for 17 or More People

(1) General Requirements.

(D) Each fire drill shall evacuate all persons from the building, or evacuate to an area of refuge and defend in place. Each fire drill shall be conducted as follows:

1. Drills shall simulate an actual fire condition;
2. Occupants and staff members shall not obtain clothing or personal effects after the alarm has sounded;
3. The occupants and staff members shall proceed to a predetermined point outside the building that is sufficiently remote to avoid fire danger, or to a predetermined point inside of the building;
4. Occupants and staff members shall remain in place until a recall is issued or until they are dismissed; and
5. Exception. If there is potential harm to residents during drills because a resident is medically fragile, the provider may arrange the drill to not involve the medically fragile. However, all residents who are medically fragile must participate in a drill at least once per year. This must be documented in the home.

(6) Detection, Alarms, Extinguishment.

(G) Facilities using equipment or appliances, such as a gas stove or gas water heater, that pose a potential carbon monoxide risk, including facilities with attached garages, shall install a carbon monoxide detector(s). The detector(s) shall be installed according to the manufacturer's instructions. The state fire marshal inspector may require additional carbon monoxide detectors if the state fire marshal inspector determines that the safety of the occupants is endangered.

1. Carbon monoxide detectors shall be in good operating condition. If a battery-operated detector is not operational, the facility shall install a detector that is powered by the home's electrical system with a battery backup.

2. If an elevated carbon monoxide level is detected during a fire inspection, the facility shall have all gas-fired appliances checked by a heating and air conditioning company to identify the source of the carbon monoxide. Until the facility has documentation on file at the home verifying that all gas-fired appliances were checked by a heating and air conditioning company and are in safe working order, and the facility is determined safe by the state fire marshal inspector, the fire inspection shall not be approved.

3. If a level of carbon monoxide is determined that endangers the lives of the occupants, the state fire marshal inspector shall take measures necessary to protect the occupants. This may include evacuation of the building or closing the facility. The facility shall obtain and have on file at the facility, documentation verifying that all gas-fired appliances were checked by a heating and air conditioning com-

pany and are in safe working order. The facility shall be reinspected by the fire inspector and determined safe before the occupants can return to the building or the facility can reopen.

(7) Heating, Ventilating, Air Conditioning, and Mechanical Equipment.

(O) If any combustibles are stored in a furnace room, they must be enclosed in a metal container.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 70—Soil and Water Districts Commission Chapter 5—State Funded Cost-Share Program

ORDER OF RULEMAKING

By the authority vested in the Soil and Water Districts Commission under sections 278.070.4 and 278.110.8, RSMo 2000 and 278.080.1 and 278.080.5(8), RSMo Supp. 2003, the commission amends a rule as follows:

10 CSR 70-5.040 Cost-Share Rates and Reimbursement Procedures is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 3, 2003 (28 MoReg 1916). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Comments were received from twenty-eight (28) Soil and Water Conservation District Board of Supervisors. All comments were in support of the rulemaking and have been summarized as follows:

COMMENT: The Soil and Water District Board of Supervisors support the proposed rule change that would remove the state cost-share rate that is tied to the local federally funded cost-share rate. We would also like to express our support of the continued 75% cost-share rate, with the option of a lower percent being left to the discretion of the local Soil and Water Conservation Board of Supervisors. We truly appreciate the time and effort the commission has put forth to insure that the State Cost-Share Program remains in force and beneficial to the landowners of Missouri.

RESPONSE: The Soil and Water Districts Commission would like to express their appreciation for the support of rulemaking 10 CSR 70-5.040, Cost-Share Rates and Reimbursement Procedures, shown by the local Soil and Water District Board of Supervisors throughout the state.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 80—Missouri State Water Patrol Chapter 5—Aids to Navigation and Regulatory Markers

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Public Safety in section 650.005, RSMo 2000, the department amends a rule as follows:

11 CSR 80-5.010 Approval of Aids to Navigation and Regulatory Markers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2003 (28 MoReg 2243-2245). No changes have been made in the

text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 20—Pharmacy Program**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Medical Services under sections 208.201, RSMo 2000, and 338.505, RSMo Supp. 2003, the director amends a rule as follows:

13 CSR 70-20.320 Pharmacy Reimbursement Allowance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2163). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 28—Immunization**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under sections 167.181, RSMo Supp. 2003 and 192.006 and 192.020, RSMo 2000, the director amends a rule as follows:

19 CSR 20-28.010 Immunization Requirements for School Children is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 3, 2003 (28 MoReg 1933–1936). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received fourteen (14) comments supporting the rule. One comment was signed by five (5) physicians and three (3) nurses.

COMMENT: A state representative, who is also a physician, sent a letter supporting the language included in the amendment.
RESPONSE: None required.

COMMENT: A private physicians' office in Springfield sent a letter, signed by five (5) physicians and three (3) nurses, supporting the language in the amendment.
RESPONSE: None required

COMMENT: A physician who is president of a statewide medical association sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: A physician who is president of a statewide pediatric medical association sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: A physician who is medical director of pediatric care at a major hospital in Kansas City sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: A pediatrician practicing at a major hospital in Kansas City sent a letter supporting the language included in the amendment.
RESPONSE: None required.

COMMENT: A physician who is chairman of pediatrics at a major hospital in Springfield sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: A physician who is a professor at a medical school in St. Louis sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: A physician practicing at a children's hospital and professor at a medical school sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: The executive director of a statewide nurses' association sent a letter supporting the language included in the amendment.
RESPONSE: None required.

COMMENT: A registered nurse and infection control practitioner practicing at a children's hospital in Kansas City sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: A physician practicing at a children's hospital in Kansas City sent a letter supporting the language included in the amendment.

RESPONSE: None required.

COMMENT: A private physician practicing in Poplar Bluff sent an e-mail supporting the language included in the amendment.
RESPONSE: None required.

COMMENT: A nurse practicing at a hospital in Joplin sent a letter supporting the language included in the amendment.
RESPONSE: None required.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 25—Division of Administration
Chapter 33—Laboratories for Serologic Tests for Human
Immunodeficiency Virus Antibodies**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under sections 191.653 and 192.006, RSMo 2000, the director amends a rule as follows:

**19 CSR 25-33.010 Approval of Laboratories for the Performance of
Serologic Tests for Human Immunodeficiency Virus Antibodies is
amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2163–2164). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES**

Division 25—Division of Administration

Chapter 34—Laboratories for Serologic Tests for Syphilis

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under sections 192.006 and 210.030, RSMo 2000, the director rescinds a rule as follows:

19 CSR 25-34.010 Approval of Laboratories for the Performance of Serologic Tests for Syphilis on Prenatal Blood **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2164). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES**

Division 25—Division of Administration

Chapter 34—Laboratories for Serologic Tests for Syphilis

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under sections 192.006 and 210.030, RSMo 2000, the director adopts a rule as follows:

19 CSR 25-34.010 Approval of Laboratories for the Performance of Serologic Tests for Syphilis on Prenatal Blood **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2164–2165). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE

Division 10—General Administration

Chapter 1—Organization

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 10-1.020 Interpretation of Referenced or Adopted Material **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 3, 2003 (28 MoReg 1937). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities

IN ADDITION

3 CSR 10-12.145 Fishing, Length Limits

The original text for this amendment was filed on August 30, 2001 and published in the *Missouri Register* on October 1, 2001 (26 MoReg 1903-1904) and ordered with no changes in the *Missouri Register* on December 17, 2001 (26 MoReg 2417).

Though section (3) was not amended, this section was omitted from the December 31, 2001 Code update. This section is reprinted below as it now will appear in the *Code of State Regulations* published March 31, 2004.

(3) White bass, striped bass and their hybrids less than twenty inches (20") total length must be returned to the water unharmed immediately after being caught on Cameron (Reservoir No. 3) and St. Louis County (Creve Coeur Lake).

Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions

ACTIONS TAKEN ON APPLICATIONS FOR
NEW GROUPS OR GEOGRAPHIC AREAS

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
Sikeston Public Schools Credit Union 814 Linn Street Sikeston, MO 63801	Employees and members of immediate family and organizations of such persons of Scott County R-V Public Schools in zip code 63801

Title 20—DEPARTMENT OF INSURANCE

IN ADDITION

Pursuant to section 538.210, RSMo 2000 regarding the medical malpractice award limit, the Director of Insurance is required to calculate the new limitation for non-economic damages in medical malpractice awards.

Using the Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 538.210, RSMo 2000, the new limit was established by the following calculations:

Index Based on 2000 Dollars
Fourth Quarter 2003 IPD Index 105.676
Fourth Quarter 2002 IPD Index 104.199

New Limit = 2003 Limit × (2003 Index/2002 Index)
565,153 = 557,254 × (1.05676/1.04199)

2004 Non-Economic Damages Limit (Rounded) = \$565,000

Contractor Debarment List

Name of Contractor	Name of Officer and Title	Address	Date of Conviction	Debarment Period
Bruner Contracting Company	Cynthia Bruner	218 Delaware, Ste. 211 Kansas City, MO 64105	9/9/03	9/9/03-9/9/04
Cynthia Bruner	N/A	218 Delaware, Ste. 211 Kansas City, MO 64105	9/9/03	9/9/03-9/9/04

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS
AGAINST
K. C. HAULING, INC.**

On January 20, 2004, K.C. HAULING, Inc. filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on that date.

You are hereby notified that if you believe you have a claim against K.C. HAULING, Inc., you must submit a summary in writing of the circumstances surrounding your claim to the corporation at 121 Country Lane, Hillsboro, Missouri 63050. The summary of your claim must include the following information:

1. The name, address and telephone number of the claimant.
2. The amount of the claim.
3. The date on which the event on which the claim is based occurred.
4. A brief description of the nature of the debt or the basis for the claim.

All claims against K.C. HAULING, INC. will be barred unless the proceeding to enforce the claim is commenced within two years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS AND
CLAIMANTS AGAINST MEDCON**

MEDCON was dissolved on the 26th day of January, 2004. Any and all claims against MEDCON may be sent to Spenserv, Inc., 1000 Walnut Street, Suite 1400, Kansas City, Missouri 64106. Each claim should include the following: the name, address, and telephone number of the claimant; amount of the claim; and the basis of the claim. Any and all claims against MEDCON will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of this publication.

NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY

1. The name of the limited liability company is B and A, L.L.C.
2. The Articles of Organization for B and A, L.L.C. were filed with the Missouri Secretary of State on August 31, 1995.
3. On February 5, 2004, B and A, L.L.C. filed a Notice of Winding Up for Limited Liability Company with the Secretary of State of Missouri.
4. Persons with claims against B and A, L.L.C. should present them in accordance with the following procedure:
 - (a) In order to file a claim with B and A, L.L.C., you must furnish the following:
 - (i) Amount of the claim
 - (ii) Basis for the claim
 - (iii) Documentation for the claim
 - (b) The claim must be mailed to:

Stephanie Hall
Husch & Eppenger, LLC
1200 Main, Suite 1700
Kansas City, Missouri 64105
5. A claim against B and A, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—27 (2002), 28 (2003) and 29 (2004). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724 28 MoReg 1861
1 CSR 10-4.010	Commissioner of Administration		28 MoReg 1557		
1 CSR 35-1.050	Division of Facilities Management	28 MoReg 1983	28 MoReg 1990	29 MoReg 401	
1 CSR 35-2.030	Division of Facilities Management	28 MoReg 1984	28 MoReg 1993	29 MoReg 401	
	DEPARTMENT OF AGRICULTURE				
2 CSR 10-2.010	Market Development		28 MoReg 2087	This Issue	
2 CSR 30-2.040	Animal Health		28 MoReg 711		
2 CSR 70-13.030	Plant Industries	28 MoReg 1553	28 MoReg 1561	29 MoReg 333	
2 CSR 90-11.010	Weights and Measures	28 MoReg 2207	28 MoReg 2211		
2 CSR 90-30.050	Weights and Measures		28 MoReg 2211		
2 CSR 100-6.010	Missouri Agriculture and Small Business Development Authority		28 MoReg 1762	29 MoReg 333	
	DEPARTMENT OF CONSERVATION				
3 CSR 10-4.110	Conservation Commission		28 MoReg 1995	29 MoReg 212	
3 CSR 10-5.205	Conservation Commission		28 MoReg 1995	29 MoReg 212	
3 CSR 10-5.215	Conservation Commission		28 MoReg 1995	29 MoReg 212	
3 CSR 10-5.310	Conservation Commission		28 MoReg 1996	29 MoReg 212	
3 CSR 10-5.320	Conservation Commission		28 MoReg 1996	29 MoReg 213	
3 CSR 10-5.330	Conservation Commission		28 MoReg 1996	29 MoReg 213	
3 CSR 10-5.340	Conservation Commission		28 MoReg 1997	29 MoReg 213	
3 CSR 10-5.345	Conservation Commission		28 MoReg 1999	29 MoReg 213	
3 CSR 10-5.365	Conservation Commission		28 MoReg 2001	29 MoReg 213	
3 CSR 10-5.375	Conservation Commission		28 MoReg 2003	29 MoReg 213	
3 CSR 10-5.420	Conservation Commission		28 MoReg 2005	29 MoReg 213	
3 CSR 10-5.440	Conservation Commission		28 MoReg 2007	29 MoReg 214	
3 CSR 10-5.445	Conservation Commission		28 MoReg 2009	29 MoReg 214	
3 CSR 10-5.470	Conservation Commission		28 MoReg 2011R	29 MoReg 214R	
3 CSR 10-5.570	Conservation Commission		28 MoReg 2011	29 MoReg 214	
3 CSR 10-6.415	Conservation Commission		28 MoReg 2011	29 MoReg 214	
3 CSR 10-6.505	Conservation Commission		28 MoReg 2011	29 MoReg 214	
3 CSR 10-6.510	Conservation Commission		28 MoReg 2012	29 MoReg 215	
3 CSR 10-6.525	Conservation Commission		28 MoReg 2012	29 MoReg 215	
3 CSR 10-6.530	Conservation Commission		28 MoReg 2013	29 MoReg 215	
3 CSR 10-6.533	Conservation Commission		29 MoReg 161		
3 CSR 10-6.550	Conservation Commission		29 MoReg 161		
3 CSR 10-7.405	Conservation Commission		28 MoReg 2013	29 MoReg 215	
3 CSR 10-7.410	Conservation Commission		28 MoReg 2013	29 MoReg 215	
3 CSR 10-7.425	Conservation Commission		28 MoReg 2014	29 MoReg 215	
3 CSR 10-7.450	Conservation Commission		28 MoReg 2014	29 MoReg 216	
3 CSR 10-7.455	Conservation Commission		28 MoReg 2089	29 MoReg 333	29 MoReg 226
3 CSR 10-8.505	Conservation Commission		28 MoReg 2089	29 MoReg 333	
3 CSR 10-8.510	Conservation Commission		28 MoReg 2015	29 MoReg 216	
3 CSR 10-8.515	Conservation Commission		28 MoReg 2015	29 MoReg 216	
3 CSR 10-9.110	Conservation Commission		28 MoReg 2017	29 MoReg 216	
3 CSR 10-9.220	Conservation Commission		28 MoReg 2212	29 MoReg 401	
3 CSR 10-9.353	Conservation Commission		29 MoReg 162		
3 CSR 10-9.565	Conservation Commission		28 MoReg 2018	29 MoReg 216	
3 CSR 10-9.575	Conservation Commission		28 MoReg 2019	29 MoReg 216	
3 CSR 10-9.625	Conservation Commission		28 MoReg 2019	29 MoReg 217	
3 CSR 10-9.628	Conservation Commission		28 MoReg 2020	29 MoReg 217	
3 CSR 10-10.720	Conservation Commission		28 MoReg 2020	29 MoReg 217	
3 CSR 10-10.722	Conservation Commission		29 MoReg 162		
3 CSR 10-10.725	Conservation Commission		29 MoReg 164		
3 CSR 10-10.767	Conservation Commission		28 MoReg 2020	29 MoReg 217	
3 CSR 10-10.768	Conservation Commission		28 MoReg 2021	29 MoReg 217	
3 CSR 10-11.180	Conservation Commission		28 MoReg 2021	29 MoReg 218	
3 CSR 10-11.205	Conservation Commission		28 MoReg 2021	29 MoReg 218	
3 CSR 10-11.210	Conservation Commission		28 MoReg 2022	29 MoReg 218	
3 CSR 10-11.215	Conservation Commission		28 MoReg 2022	29 MoReg 218	
3 CSR 10-12.110	Conservation Commission		28 MoReg 2023	29 MoReg 218	
3 CSR 10-12.115	Conservation Commission		28 MoReg 2023	29 MoReg 218	
3 CSR 10-12.125	Conservation Commission		28 MoReg 2023	29 MoReg 219	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-12.135	Conservation Commission		28 MoReg 2024	29 MoReg 219	
3 CSR 10-12.140	Conservation Commission		28 MoReg 2024	29 MoReg 219	
3 CSR 10-12.145	Conservation Commission		28 MoReg 2025	29 MoReg 219	This Issue
3 CSR 10-20.805	Conservation Commission		28 MoReg 2025	29 MoReg 219	
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 10-1.010	Missouri State Board of Accountancy		28 MoReg 2089		
4 CSR 10-1.030	Missouri State Board of Accountancy		28 MoReg 2090		
4 CSR 10-1.040	Missouri State Board of Accountancy		28 MoReg 2091R		
4 CSR 10-2.005	Missouri State Board of Accountancy		28 MoReg 2091R		
			28 MoReg 2091		
4 CSR 10-2.010	Missouri State Board of Accountancy		28 MoReg 2092R		
4 CSR 10-2.021	Missouri State Board of Accountancy		28 MoReg 2093R		
4 CSR 10-2.030	Missouri State Board of Accountancy		28 MoReg 2093R		
4 CSR 10-2.041	Missouri State Board of Accountancy		28 MoReg 2093		
4 CSR 10-2.042	Missouri State Board of Accountancy		28 MoReg 2094R		
4 CSR 10-2.051	Missouri State Board of Accountancy		28 MoReg 2094		
4 CSR 10-2.061	Missouri State Board of Accountancy		28 MoReg 2099		
4 CSR 10-2.062	Missouri State Board of Accountancy		28 MoReg 2100R		
4 CSR 10-2.070	Missouri State Board of Accountancy		28 MoReg 2101		
4 CSR 10-2.072	Missouri State Board of Accountancy		28 MoReg 2102		
4 CSR 10-2.075	Missouri State Board of Accountancy		28 MoReg 2105		
4 CSR 10-2.095	Missouri State Board of Accountancy		28 MoReg 2108		
4 CSR 10-2.101	Missouri State Board of Accountancy		28 MoReg 2109		
4 CSR 10-2.111	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.112	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.115	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.120	Missouri State Board of Accountancy		28 MoReg 2111R		
4 CSR 10-2.130	Missouri State Board of Accountancy		28 MoReg 2111		
4 CSR 10-2.135	Missouri State Board of Accountancy		28 MoReg 2112		
4 CSR 10-2.140	Missouri State Board of Accountancy		28 MoReg 2112		
4 CSR 10-2.150	Missouri State Board of Accountancy		28 MoReg 2115		
4 CSR 10-2.160	Missouri State Board of Accountancy		28 MoReg 2115		
4 CSR 10-2.180	Missouri State Board of Accountancy		28 MoReg 2116R		
4 CSR 10-2.190	Missouri State Board of Accountancy		28 MoReg 2116R		
4 CSR 10-2.200	Missouri State Board of Accountancy		28 MoReg 2116		
4 CSR 10-2.210	Missouri State Board of Accountancy		28 MoReg 2117R		
4 CSR 10-2.215	Missouri State Board of Accountancy		28 MoReg 2117R		
4 CSR 10-3.010	Missouri State Board of Accountancy		28 MoReg 2117		
4 CSR 10-3.020	Missouri State Board of Accountancy		28 MoReg 2118R		
4 CSR 10-3.030	Missouri State Board of Accountancy		28 MoReg 2118R		
4 CSR 10-3.040	Missouri State Board of Accountancy		28 MoReg 2119R		
4 CSR 10-3.060	Missouri State Board of Accountancy		28 MoReg 2119		
4 CSR 10-4.010	Missouri State Board of Accountancy		28 MoReg 2120R		
			28 MoReg 2120		
4 CSR 10-4.020	Missouri State Board of Accountancy		28 MoReg 2124R		
			28 MoReg 2124		
4 CSR 10-4.030	Missouri State Board of Accountancy		28 MoReg 2124R		
4 CSR 10-4.031	Missouri State Board of Accountancy		28 MoReg 2124		
4 CSR 10-4.040	Missouri State Board of Accountancy		28 MoReg 2125R		
4 CSR 10-4.041	Missouri State Board of Accountancy		28 MoReg 2125		
4 CSR 10-4.050	Missouri State Board of Accountancy		28 MoReg 2125R		
4 CSR 10-5.070	Missouri State Board of Accountancy		28 MoReg 2126		
4 CSR 10-5.080	Missouri State Board of Accountancy		28 MoReg 2126		
4 CSR 10-5.090	Missouri State Board of Accountancy		28 MoReg 2130		
4 CSR 10-5.100	Missouri State Board of Accountancy		28 MoReg 2130		
4 CSR 10-5.110	Missouri State Board of Accountancy		28 MoReg 2131		
4 CSR 30-4.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1762R 28 MoReg 1763	29 MoReg 219R 29 MoReg 220	
4 CSR 30-4.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1765	29 MoReg 220	
4 CSR 30-5.140	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767	29 MoReg 220	
4 CSR 30-5.150	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767	29 MoReg 220	
4 CSR 30-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769	29 MoReg 220	
4 CSR 30-6.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769	29 MoReg 221	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 70-4.010	State Board of Chiropractic Examiners		29 MoReg 88		
4 CSR 70-4.030	State Board of Chiropractic Examiners		29 MoReg 88		
4 CSR 90-3.010	State Board of Cosmetology		28 MoReg 2133	This Issue	
4 CSR 90-5.010	State Board of Cosmetology		28 MoReg 2133	This Issue	
4 CSR 90-7.010	State Board of Cosmetology		28 MoReg 2133	This Issue	
4 CSR 90-8.010	State Board of Cosmetology		28 MoReg 2134	This Issue	
4 CSR 90-10.010	State Board of Cosmetology		28 MoReg 2134	This Issue	
4 CSR 90-11.010	State Board of Cosmetology		28 MoReg 2134	This Issue	
4 CSR 90-12.020	State Board of Cosmetology		28 MoReg 2137	This Issue	
4 CSR 90-12.070	State Board of Cosmetology		28 MoReg 2137	This Issue	
4 CSR 90-13.010	State Board of Cosmetology		28 MoReg 2137	This Issue	
4 CSR 100	Division of Credit Unions				28 MoReg 1956 28 MoReg 2057 29 MoReg 55 29 MoReg 119 29 MoReg 338 This Issue
4 CSR 110-2.130	Missouri Dental Board		29 MoReg 89		
4 CSR 120-1.010	State Board of Embalmers and Funeral Directors		29 MoReg 165		
4 CSR 120-1.020	State Board of Embalmers and Funeral Directors		29 MoReg 165		
4 CSR 120-1.040	State Board of Embalmers and Funeral Directors		29 MoReg 166		
4 CSR 120-2.010	State Board of Embalmers and Funeral Directors		29 MoReg 167R 29 MoReg 167		
4 CSR 120-2.020	State Board of Embalmers and Funeral Directors		29 MoReg 174		
4 CSR 120-2.022	State Board of Embalmers and Funeral Directors		29 MoReg 174		
4 CSR 120-2.030	State Board of Embalmers and Funeral Directors		29 MoReg 175		
4 CSR 120-2.040	State Board of Embalmers and Funeral Directors		29 MoReg 175R 29 MoReg 175		
4 CSR 120-2.050	State Board of Embalmers and Funeral Directors		29 MoReg 180		
4 CSR 120-2.060	State Board of Embalmers and Funeral Directors		29 MoReg 180R 29 MoReg 180		
4 CSR 120-2.070	State Board of Embalmers and Funeral Directors		29 MoReg 186R 29 MoReg 186		
4 CSR 120-2.071	State Board of Embalmers and Funeral Directors		29 MoReg 192		
4 CSR 120-2.080	State Board of Embalmers and Funeral Directors		29 MoReg 193		
4 CSR 120-2.090	State Board of Embalmers and Funeral Directors		29 MoReg 194		
4 CSR 120-2.100	State Board of Embalmers and Funeral Directors		29 MoReg 195		
4 CSR 120-2.110	State Board of Embalmers and Funeral Directors		29 MoReg 196		
4 CSR 120-2.115	State Board of Embalmers and Funeral Directors		29 MoReg 196		
4 CSR 140-1.140	Division of Finance				29 MoReg 55
4 CSR 197-1.030	Board of Therapeutic Massage		29 MoReg 23		
4 CSR 197-1.040	Board of Therapeutic Massage		29 MoReg 23		
4 CSR 197-2.010	Board of Therapeutic Massage		29 MoReg 26		
4 CSR 197-2.030	Board of Therapeutic Massage		29 MoReg 32		
4 CSR 197-2.050	Board of Therapeutic Massage		29 MoReg 34		
4 CSR 197-3.010	Board of Therapeutic Massage		29 MoReg 36		
4 CSR 197-5.010	Board of Therapeutic Massage		29 MoReg 36		
4 CSR 197-5.020	Board of Therapeutic Massage		29 MoReg 36		
4 CSR 197-5.030	Board of Therapeutic Massage		29 MoReg 39		
4 CSR 197-5.040	Board of Therapeutic Massage		29 MoReg 41		
4 CSR 205-3.030	Missouri Board of Occupational Therapy		29 MoReg 89		
4 CSR 220-2.300	State Board of Pharmacy		29 MoReg 89		
4 CSR 232-3.010	Missouri State Committee of Interpreters		28 MoReg 1769	29 MoReg 221	
4 CSR 240-3.155	Public Service Commission		28 MoReg 1507	29 MoReg 221	
4 CSR 240-3.165	Public Service Commission		28 MoReg 2214	29 MoReg 401	
4 CSR 240-3.190	Public Service Commission		28 MoReg 2028	29 MoReg 402	
4 CSR 240-3.245	Public Service Commission		28 MoReg 2215	29 MoReg 407	
4 CSR 240-3.265	Public Service Commission		28 MoReg 1901		
4 CSR 240-3.335	Public Service Commission		28 MoReg 2216	29 MoReg 408	
4 CSR 240-3.435	Public Service Commission		28 MoReg 2217	29 MoReg 409	
4 CSR 240-3.440	Public Service Commission		28 MoReg 1906	29 MoReg 409	
4 CSR 240-3.500	Public Service Commission		28 MoReg 2139		
4 CSR 240-3.540	Public Service Commission		28 MoReg 2219	29 MoReg 410	
4 CSR 240-3.545	Public Service Commission		29 MoReg 369R 29 MoReg 369		
4 CSR 240-3.550	Public Service Commission		28 MoReg 2140		
4 CSR 240-3.555	Public Service Commission		29 MoReg 374		
4 CSR 240-3.640	Public Service Commission		28 MoReg 2220	29 MoReg 410	
4 CSR 240-3.650	Public Service Commission		28 MoReg 1907		
4 CSR 240-13.015	Public Service Commission		28 MoReg 2140	29 MoReg 411W	
4 CSR 240-13.035	Public Service Commission		28 MoReg 2141		
4 CSR 240-18.010	Public Service Commission		28 MoReg 2030	29 MoReg 411	
4 CSR 240-32.020	Public Service Commission		28 MoReg 2145		
4 CSR 240-32.060	Public Service Commission		28 MoReg 2147		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-32.070	Public Service Commission		28 MoReg 2148		
4 CSR 240-32.080	Public Service Commission		28 MoReg 2149		
4 CSR 240-32.180	Public Service Commission	28 MoReg 1891	28 MoReg 2221	29 MoReg 334	29 MoReg 119
4 CSR 240-32.190	Public Service Commission	28 MoReg 1891	28 MoReg 2222	29 MoReg 334	29 MoReg 119
4 CSR 240-32.200	Public Service Commission	This Issue			
4 CSR 240-33.010	Public Service Commission		29 MoReg 374		
4 CSR 240-33.020	Public Service Commission		29 MoReg 374		
4 CSR 240-33.030	Public Service Commission		29 MoReg 376R		
4CSR 240-33.040	Public Service Commission		29 MoReg 376		
4 CSR 240-33.060	Public Service Commission		29 MoReg 377		
4 CSR 240-33.070	Public Service Commission		29 MoReg 381		
4 CSR 240-33.080	Public Service Commission		29 MoReg 381		
4 CSR 240-33.110	Public Service Commission		This Issue		
4 CSR 240-33.150	Public Service Commission		29 MoReg 382		
4 CSR 240-36.010	Public Service Commission		29 MoReg 197		
4 CSR 240-36.020	Public Service Commission		29 MoReg 197		
4 CSR 240-36.030	Public Service Commission		29 MoReg 198		
4 CSR 240-36.040	Public Service Commission		29 MoReg 199		
4 CSR 240-36.050	Public Service Commission		29 MoReg 202		
4 CSR 240-36.060	Public Service Commission		29 MoReg 203		
4 CSR 240-36.070	Public Service Commission		29 MoReg 203		
4 CSR 240-36.080	Public Service Commission		29 MoReg 204		
4 CSR 250-3.020	Missouri Real Estate Commission		28 MoReg 1770	29 MoReg 221	
4 CSR 250-8.090	Missouri Real Estate Commission		28 MoReg 2150	This Issue	
4 CSR 250-8.096	Missouri Real Estate Commission		28 MoReg 2152	This Issue	
4 CSR 250-8.097	Missouri Real Estate Commission		28 MoReg 2152	This Issue	
4 CSR 250-8.160	Missouri Real Estate Commission		28 MoReg 1770	29 MoReg 221	
4 CSR 250-10.010	Missouri Real Estate Commission		28 MoReg 1770	29 MoReg 222	
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 70-742.140	Special Education			29 MoReg 334	
5 CSR 70-742.141	Special Education			29 MoReg 336	
5 CSR 80-800.200	Teacher Quality and Urban Education		28 MoReg 1771	This Issue	
5 CSR 80-800.220	Teacher Quality and Urban Education		28 MoReg 1774	This Issue	
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1 CSR 35-1.050	Public Use of State Facilities	28 MoReg 1983	April 15, 2004
1 CSR 35-2.030	Administration of the Leasing Process	28 MoReg 1984	April 15, 2004

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2 CSR 30-2.020	Movement of Livestock, Poultry and Exotic Animals Within Missouri	April 15, 2004	August 27, 2004
2 CSR 30-2.040	Animal Health Requirements for Exhibition	April 15, 2004	August 27, 2004
2 CSR 30-3.020	Brucellosis Quarantine Requirements on Cattle	April 15, 2004	August 27, 2004
2 CSR 30-6.020	Duties and Facilities of the Market/Sale Veterinarian	April 15, 2004	August 27, 2004

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2 CSR 90-11.010	ANSI K61.1, Safety Requirements for the Storage and Handling of Anhydrous Ammonia	28 MoReg 2207	May 12, 2004
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4 CSR 240-32.180	Definitions—Caller Identification Blocking Service	28 MoReg 1891	April 2, 2004
4 CSR 240-32.190	Standards for Providing Caller Identification Blocking Service	28 MoReg 1891	April 2, 2004
4 CSR 240-32.200	General Provisions for the Assignment, Provision and Termination of 211 Service	This Issue	September 10, 2004

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12 CSR 10-41.010	Annual Adjusted Rate of Interest	20 MoReg 2207	June 28, 2004
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13 CSR 35-80.010	Residential Foster Care Maintenance Methodology	29 MoReg 261	July 23, 2004
13 CSR 35-80.020	Residential Care Agency Cost Reporting System	29 MoReg 262	July 23, 2004
13 CSR 40-19.020	Low Income Home Energy Assistance Program	28 MoReg 1892	March 28, 2004

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13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)	28 MoReg 1755	March 15, 2004
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15 CSR 30-51.160	Effectiveness and Post-Effective Requirements	28 MoReg 1628	March 16, 2004
15 CSR 30-54.175	Solicitation of Interest	28 MoReg 1985	April 30, 2004

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19 CSR 15-4.060	State Long-Term Care Ombudsman Program	28 MoReg 1756	March 19, 2004
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19 CSR 30-82.015	Long-Term Care Receiverships	28 MoReg 1756	March 19, 2004
19 CSR 30-82.060	Hiring Restrictions—Good Cause Waiver	28 MoReg 1986	April 22, 2004
19 CSR 30-82.080	Nursing Facility Quality of Care Improvement Program	28 MoReg 1757	March 19, 2004
19 CSR 30-83.010	Definitions of Terms	28 MoReg 1758	March 19, 2004
19 CSR 30-85.042	Administration and Resident Care Requirements for New and Existing Intermediate Care and Skilled Nursing Facilities	28 MoReg 1758	March 19, 2004
19 CSR 30-86.042	Administrative, Personnel and Resident Care Requirements for New and Existing Residential Care Facilities I and II	28 MoReg 1759	March 19, 2004

Missouri Consolidated Health Care Plan**Health Care Plan**

22 CSR 10-2.020	Membership Agreement and Participation Period	29 MoReg 87	June 29, 2004
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04-01	Establishes the Public Safety Officer Medal of Valor, and the Medal of Valor Review Board	February 3, 2004	29 MoReg 294
04-02	Designates staff having supervisory authority over agencies	February 3, 2004	29 MoReg 297
04-03	Creates the Missouri Automotive Partnership	January 14, 2004	29 MoReg 151
04-04	Creates the Missouri Methamphetamine Education and Prevention Task Force	January 27, 2004	29 MoReg 154
04-05	Establishes a Missouri Methamphetamine Treatment Task Force	January 27, 2004	29 MoReg 156
04-06	Establishes a Missouri Methamphetamine Enforcement and Environmental Protection Task Force	January 27, 2004	29 MoReg 158
04-07	Establishes the Missouri Commission on Patient Safety and supercedes Executive Order 03-16	February 3, 2004	29 MoReg 299
04-08	Transfers the Governor's Council on Disability and the Missouri Assistive Technology Advisory Council to the Office of Administration	February 3, 2004	29 MoReg 301

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03-01	Reestablishes the Missouri Lewis and Clark Bicentennial Commission	February 3, 2003	28 MoReg 296
03-02	Establishes the Division of Family Support in the Dept. of Social Services	February 5, 2003	28 MoReg 298
03-03	Establishes the Children's Division in the Dept. of Social Services	February 5, 2003	28 MoReg 300
03-04	Transfers all TANF functions to the Division of Workforce Development in the Dept. of Economic Development	February 5, 2003	28 MoReg 302
03-05	Transfers the Division of Highway Safety to the Dept. of Transportation	February 5, 2003	28 MoReg 304
03-06	Transfers the Minority Business Advocacy Commission to the Office of Administration	February 5, 2003	28 MoReg 306
03-07	Creates the Commission on the Future of Higher Education	March 17, 2003	28 MoReg 631
03-08	Lists Governor's staff who have supervisory authority over departments	September 4, 2003	28 MoReg 1556
03-09	Lists Governor's staff who have supervisory authority over departments	March 18, 2003	28 MoReg 633
03-10	Creates the Missouri Energy Policy Council	March 13, 2003	28 MoReg 634
03-11	Creates the Citizens Advisory Committee on Corrections	April 1, 2003	28 MoReg 705
03-12	Declares disaster areas due to May 4 tornadoes	May 5, 2003	28 MoReg 950
03-13	Calls National Guard to assist in areas harmed by the May 4 tornadoes	May 5, 2003	28 MoReg 952
03-14	Temporarily suspends enforcement of environmental rules due to the May 4th [et al.] tornadoes	May 7, 2003	28 MoReg 954
03-15	Establishes the Missouri Small Business Regulatory Fairness Board	August 25, 2003	28 MoReg 1477
03-16	Establishes the Missouri Commission on Patient Safety	October 1, 2003	28 MoReg 1760
03-17	Creates the Governor's Committee to End Chronic Homelessness	October 8, 2003	28 MoReg 1899
03-18	Designates the Missouri State Highway Patrol within the Department of Public Safety as lead agency in state communications	December 10, 2003	29 MoReg 7
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03-20	Requires configuration of two-way radios used by agencies of the state of Missouri to include established interoperability channels as specified by the State Interoperability Executive Committee	December 10, 2003	29 MoReg 12
03-21	Closes state offices Friday, November 28 and Friday, December 26, 2003	October 24, 2003	28 MoReg 1989
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03-25	Requires state agencies to adopt cyber security policies and procedures. Designates the Office of Information Technology as principal forum to improve policies and procedures	December 10, 2003	29 MoReg 18
03-26	Reestablishes the Office of Information Technology as the mechanism for coordinating information technology initiatives for the state	December 10, 2003	29 MoReg 21
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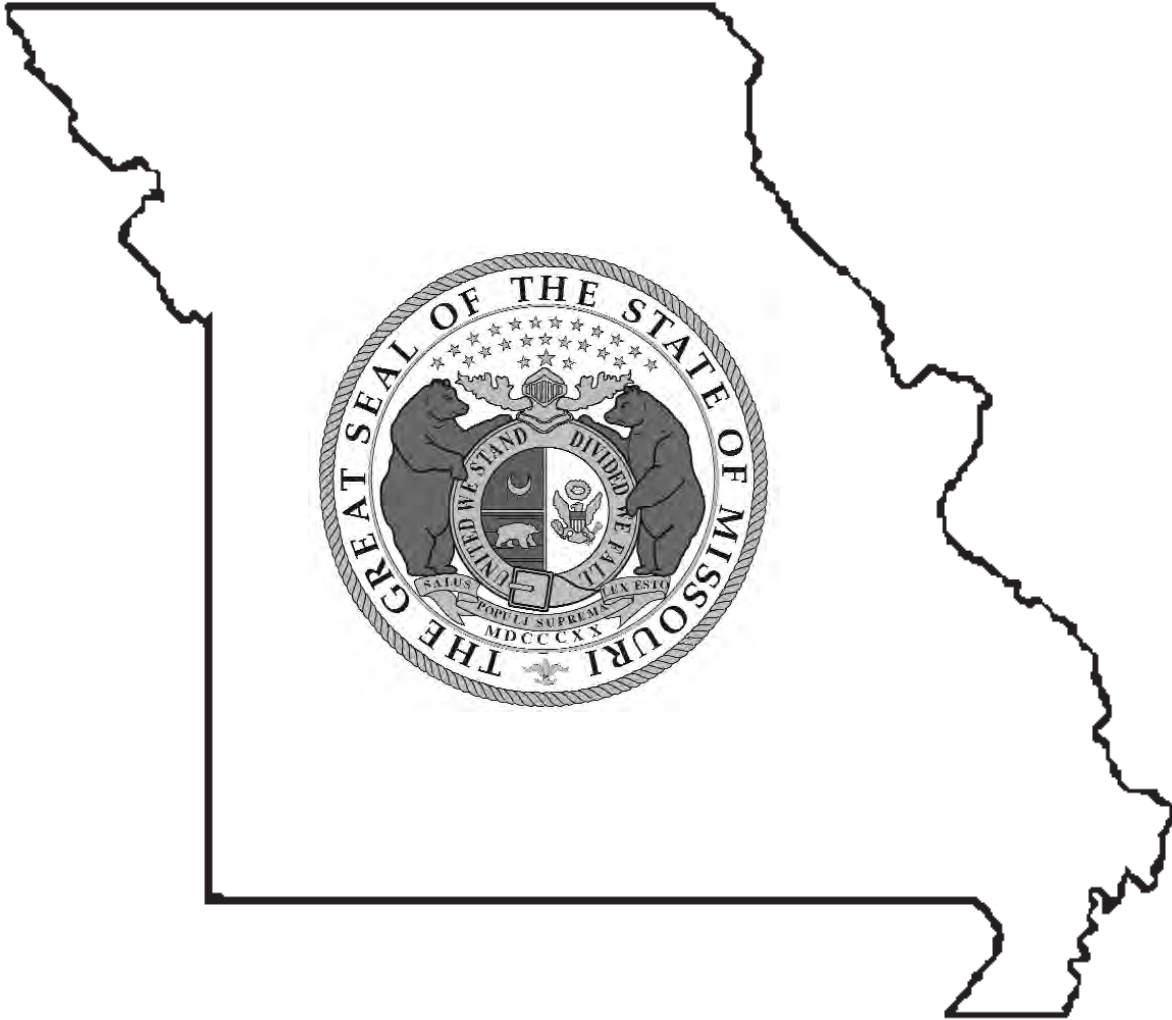
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